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City and County of San Francisco

SMALL BUSINESS COMMISSION



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Notice of Special Meeting & Agenda for Monday, May 8, 2000

1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

SMALL BUSINESS COMMISSION

Marivic Bamba, Stephen Cornell, Gwen Kaplan

Dick Mak, Jose Najjar, Yasin Salma, I. Lee Murphy-Reed

Agenda \*: \*\*

Please note that this meeting will be conducted by Emilio Cruz, Director of Economic Development, until the selection of Interim President and Vice-President

Call to Order

1. Roll Call
2. Introduction of Commissioners Discussion Item  
(This item allows Commissioners to introduce themselves to each other and provide a brief description of their backgrounds and their interests)
3. Opening Remarks Discussion Item  
[Presentation by Mark Leno]  
Supervisor Leno will welcome and congratulate the Commissioners as well as provide an overview of the history of the Small Business Commission Legislation
4. Going Out Commendations Action Item  
[Presentation by Supervisor Leno and Emilio Cruz]  
Discussion and possible action to give Commendations to the Small Business Advisory Commissioners, presentations of certificates.
5. Overview of Commission's Role, Powers and Duties. Discussion Item  
[Presentation by Deputy City Attorney]  
Presentation of powers, duties, and roles the new legislation will provide to the Commission  
Explanatory Documents: Copies of the Administrative Code Sections 5.120-5.122
6. Overview of Public Meeting Laws Discussion Item  
[Presentation by Deputy City Attorney]  
Brief overview of the Public Meeting laws including the Sunshine Ordinance, as amended by Proposition G
7. Discussion and Possible Action to Draft the Commission's Rules of Order Discussion Item  
Rules of Order will include meeting frequency, attendance policies, and Rules of Order



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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8. **Discussion and Possible Action to Set Regular Meeting Time and Place** Action Item  
*(This item allows the Commissioners to set a regular meeting schedule)*
9. **Discussion and Possible Action Relating to the Selection of a Director of the Office of Small Business Affairs and Commission Secretary** Action Item  
*(This item allows the Commissioners to establish a policy on the selection of the Director and Commission Secretary)*
10. **Discussion and Possible Action to Select Interim President and Vice-President** Action Item  
*(This item allows the commission to select an interim President and Vice-President until the election of those permanent roles are voted on and established)*
11. **New Business** Action Item  
*(This item allows the Commissioners to introduce new agenda items for future consideration)*
12. **General Public Comment** Discussion Item  
*(This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration)*
13. **Adjournment** Action Item  
*Requires motion and adjournment*
- \* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.
  - \*\* Explanatory documents: copies of explanatory documents listed in this agenda, and other related materials received by the Small Business Commission after the posting of the agenda, are available for public inspection and/or copying at City Hall Room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.

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CITY AND COUNTY OF SAN FRANCISCO  
SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**MEETING MINUTES**

Monday, May 8<sup>th</sup>, 2000 - 5:30 PM  
Commissioners Chamber - Room 400

**Small Business Commissioners**

STEPHEN CORNELL - INTERIM PRESIDENT  
MARIVIC BAMBA - INTERIM VICE PRESIDENT  
GWEN KAPLAN, DICK MAK, JOSE NAJAR  
YASIN SALMA, LLEE MURPHY-REED

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**Members Present:** *All members present*

**Members Absent:** *All members present*

**Call to order:**

**Item 1**

**Roll Call**

*The Small Business Advisory Commission met on May 8<sup>th</sup>, 2000, in a special session with Emilio Cruz presiding. The meeting was called to order at 5:45PM*





## Item 2

### Introduction of Commissioners

- Each of the Commissioners introduced themselves and their interest in serving the small business community.

## Item 3

### Opening Remarks

#### [Presentation from Mark Leno]

- *Supervisor Mark Leno*, welcomed the new commission and congratulated them on their appointments. He stated that he has learned a lot from other cities. He stated his interest in seeing the Commission work with the Mainstreet Program, the challenges of single screen theatres, Fillmore Jazz Preservation district, etc. He stated that the budget needed to be addressed, as there was talk of slashing if money is not spent. He stated that a lot of lobbying will be done for the Summer Youth hiring program as this federally funded program will not be receiving funds, leaving several of our youth on the streets and unproductive during the summer months. Supervisor Leno closed by commending the past Small Business Advisory Commissioners and awarded them with plaques.
- *Scott Hauge* thanked the Commissioners and welcomed them to an event at the Small Business Administration offices.
- *Loretta Whittle*, thanked Barbara Kolesar for all of her hard work with the Commission and the opportunity to serve the Commission.
- *Jose Najar*, thanked the Mayor for his appointment.

## Item 4

### OVERVIEW OF COMMISSION'S ROLE, POWERS AND DUTIES.

#### [Presentation from Adine Varah, Deputy City Attorney]

- *Ms. Varah* reminded the Commissioners that they were purely advisory and now they are a full-chartered Commission serving at the pleasure of the Mayor. She stated that they are to refer matters to the Supervisors about the Commission and they act on items as a body. She referred the Commissioners to the powers and duties section of the legislation and encouraged that articles V and VI be removed for continuity.
- *Commissioner Cornell* asked what the Commissioners can and can't do with respect to conflicts of interest that arise.
- *Ms. Varah* explained that another meeting would be addressing the conflict of interest issues.

## Item 5

### General Public Comment

- *Mr. Cruz* asked that Item 12, public comment, go next for a specific presentation.
- *Scott Hauge*, Small Business Network Representative, encouraged the Commission to support the Welfare-to-Work program with Job Network. This program focuses on placement that can become permanent work for the participants. He stated that he was asking for \$100,000 but to see if there was \$50,000 in the budget for this program.
- *Commissioner Kaplan* stated that Bank of America was very supportive of the program.



## Item 6

### Overview of Public Meeting Laws

[Presentation for Amy Ackerman, Deputy City Attorney]

- *Ms. Ackerman* referred the Commissioners to the Public Meeting Laws handbook. She stated that the book could answer most questions but that she was available in the event that a Commissioner needed further clarification. She discussed the responsibility of the Commission to adhere to the entire meeting laws and laws that indicate the process of providing the public with clear information. She discussed when and what can be discussed outside of a hearing. She stated that any willful violations of the provisions are considered misdemeanors.

## Item 7

### Discussion and possible action to draft the Rules of Order

[Presentation from Emilio Cruz]

- *Mr. Cruz* stated that staff had collected copies of the Rules of Order of different groups to create broiler plate documents as an example. Encouraged commissioners to review and inform staff of any suggested inclusions or deletions.

## Item 8

### Discussion and possible action to Set a Regular Meeting Time and Place

[Presentation from Emilio Cruz]

- *Mr. Cruz* suggested to the Commissioners to continue to meet monthly but to be available for additional meetings in the beginning.
- *Commissioner Cornell* made a motion that the Commission meets the 2<sup>nd</sup> Monday of each month with the exception of special meeting that could be called.

*Motion on the Floor:* *Commissioner Cornell made a motion that the Commission meet every 2<sup>nd</sup> Monday of the Month.*

*Action:* *Seconded by Commissioner Salma. Unanimous approval by the Commission*

## Item 9

### New Business

- *Emilio Cruz* reported that the Mayor presented the budget for the Small Business Commission at approximately \$600,000.

## Adjournment

- Meeting was adjourned at 7:35. Moved to adjourn by Commissioner Salma. Seconded by Commissioner Kaplan. Unanimous approval by the Commission.



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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

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Notice of Special Meeting & Agenda for Wednesday May 31st, 2000  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 408- 5:30PM  
Please Note the Room Change  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell -- Interim President*  
*Marivic Bamba -- Interim Vice President*

*Gwen Kaplan, Dick Mak, Jose Najjar, Yasin Salma, I. Lee Murphy Reed*  
**Agenda**

**Call to Order**

**1. Roll Call**

*Call of roll of the Small Business Commissioners*

**2. City Attorney - Conflicts of Interest Discussion**

*[Presentation from the City Attorney's Office]*

*Presentation, and discussion of rules regarding conflicts of interest, financial disclosure and other governmental ethics laws.*

**3. Rules of Order**

Action Item

*Presentation, discussion and possible action to approve or amend the draft Rules of Order*

*Explanatory Documents: Draft copy of the Rules of Order*

**4. Request for funding for the Summer Youth Employment Program (Say YES Campaign) to be administered at the Department of Children, Youth and their Families.**

Action Item

*[Presentation from Department of Children Youth and their Families]*

*Presentation, discussion, and possible approval of motion to authorize the Acting Director of the Office of Small Business Affairs to enter into a \$200,000 work order agreement under which the Department of Children, Youth and their Families would administer the Summer Jobs for Youth Program with Youth Works.*

*Explanatory Documents: Board of Supervisor's Resolution, File No. 00916*

**5. Request for funding for Career Advancement Programs – Juma Ventures**

Action Item

*[Presentation from Juma Ventures Representative]*

*Presentation, discussion and possible approval of motion to authorize the Acting Director of the Office of Small Business Affairs to enter into a \$50,000 index coding under which the Mayor's Office of Community Development would administer the Career Advancement Program with Juma Ventures. The allocation of funds would be used to create Career Advancement Services for those employed through the Job-Network program.*

*Explanatory Documents: Request for Funding Proposal*



City and County of San Francisco

**SMALL BUSINESS ADVISORY COMMISSION**

***Agenda Continued***

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6. **Request for funding for San Francisco's Enterprise Zone Program** Action Item  
[Presentation from Bonnie Carroll, TMC Development Working Solutions]  
*Presentation, discussion and possible approval of motion to authorize the Acting Director of the Office of Small Business Affairs to allocate funds deemed appropriate toward the program (Up to \$60,000). The allocation of funds would be used to provide outreach to small businesses on how to save money on their state taxes through utilization of the Enterprise Zone Program.*  
Explanatory Documents: Request for Funding Proposal
7. **Inventory of San Francisco Small Businesses (Study Allocation)** Action Item  
[Presentation from Stephen Cornell]  
*Request for funding to conduct a study by which inventory would be taken to record the number, sizes, and types of Small Businesses in San Francisco as well as other items.*
8. **New Business** Action Item  
*This item allows the Commission to introduce new agenda items for future consideration*
9. **General Public Comment** Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*
10. **Adjournment** Action Item  
*This item requires motion and public comment*
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## CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**MEETING MINUTES**

Monday, May 31<sup>st</sup>, 2000 - 5:30 PM  
Commissioners Chamber - Room 400

**SBA COMMISSIONERS**

STEPHEN CORNELL - INTERIM PRESIDENT  
MARIVIC BAMBA - INTERIM VICE PRESIDENT  
GWEN KAPLAN, DICK MAK, JOSE NAJAR  
YASIN SALMA, LLEE MURPHY-REED

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**Members Present:** *All members present*

**Members Absent:** *All members present*

**Call to order:****Item 1****Roll Call**

*The Small Business Commission met on May 31st, 2000, in a special session with Interim President Stephen Cornell presiding. The meeting was called to order at 5:45PM. On the call of roll, the following Commissioners were noted absent: Commissioners Bamba. Commissioner Babmba arrived at 6:10*

**Item 2****CONFLICTS OF INTEREST DISCUSSION**

**[Presentation by Claire Sylvia, Office of the City Attorney]**

- Deputy City Attorney Claire Sylvia gave a presentation to the Small Business Commission about the rules regarding conflicts of interest, financial disclosure and other ethics laws applicable to public officials. As part of her presentation, Ms. Sylvia explained that, under the California Political Reform Act, no public official at any level of state or local



- (Continued) government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest. Ms. Sylvia described applicable state and local laws as well as giving examples of the types of situations and financial interests that might give rise to conflicts of interest. Ms. Sylvia also discussed the statement of economic interest forms ("SEIs" or "Form 700s") and the information that the Commissioners would have to disclose on such forms. In addition, Ms. Sylvia discussed limitations and restrictions on gifts and honoraria and responded to general questions from the Commissioners.
- *Commissioner Kaplan* raised the question of Conflict of Interest in regards to an agenda item that was appearing before the Commission that evening. Commissioner Kaplan and other members of the Commission wondered if they would be affected by the Enterprise Zone agenda item.
- *Ms. Silvia* suggested that the Commissioners take a five-minute break to discuss the possible presence of a conflict of interest.  
Action: No action, information only

## Item 3

### RULES OF ORDER

#### [Presentation from Sylvia Claire]

- *Emilio Cruz*, Director of Economic Development, stated that staff had put together a draft of the Rules of Order. The rules of order include the name, purpose, election procedures, meeting arrangements and requirements. The Rules of Order also include rules by which the agenda is set, voting, action, and the rights of the public to participate in public comment.
- *Commissioner Cornell* stated that he would like to have an addendum, which states that after a certain amount of absences a letter would be sent to the Mayor.
- *Emilio Cruz* stated that a section could be added under attendance, which states that the President is directed to send a letter to the Mayor after a Commissioner has acquired three unexcused absences.
- *Commissioner Kaplan* questioned what would be considered an excused absence.
- *Emilio Cruz* replied that a death in the family, an illness or an urgent personal matter would constitute an excused absence.
- *Commissioner Cornell* commented that the item on the purpose of the Commission is important and should be understood as the actual duties.
- *Commissioner Bamba* brought to our attention minor corrections to the draft.  
*Motion on the Floor:* Moved by Commissioner Salma to approve the Rules of Order with the suggested amendments.  
*Action:* Seconded by Commissioner Najjar. Unanimous approval by the Commission

## Item 4

### REQUEST FOR FUNDING FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM (SAY YES CAMPAIGN) TO BE ADMINISTERED AT THE DEPARTMENT OF CHILDREN, YOUTH AND THEIR FAMILIES.

#### [Presentation from Cedric Yap, Deputy Director of the Department of Children, Youth and their Families]

- *Cedric Yap* began his presentation with background information on the Workforce Investment Act and how it's restructuring has resulted in a gap of funding for such programs as The Summer Youth Employment Program. He went on to say that the program is working to train and hire 1200 youth from the ages of 14-17 years of age. The Children are hired from the poorest families in the City in an effort to make a positive impact in a discretionary time for these kids.



- *Commissioner Cornell* questioned if the companies were all in the public sector.
- *Mr. Yap* responded that some of the youth would be placed in the private sector.
- *Liz Jackson*, Director of Jobs for Youth, stated that although some of the youth would go to the private sector, 80% of the businesses participating are from the small business community.
- *Commissioner Bamba* wanted clarification that spending in this fiscal year would be possible for this program.
- *Emilio Cruz* replied that funding would be possible through a work order.
- *Commissioner Kaplan* stated that if the Commission were to help fund this program, she would like to see that small businesses have the opportunity to be matched with a youth employee.
- *Commissioner Najar* asked Ms. Jackson to share a success story of a past participant of the youth from the program.
- *Ms. Jackson* replied that there have been over 5,000 youth from the program that have moved into the private sector, including herself.

**Motion on the Floor:** Commissioner Gwen Kaplan made a motion to approve the funding for the Summer Youth Employment Program.

**Action:** Commissioner Najar seconded. Unanimous approval to from the Commission

## Item 5

### REQUEST FOR FUNDING FOR CAREER ADVANCEMENT PROGRAMS [Presentation from Colleen Cassidy, Director of Development at Juma Ventures]

- *Colleen Cassidy* briefed the Commissioners in the work conducted by Juma Ventures and their welfare-to-work programs. They have placed 115 participants at an average of \$9.50 per hour. She stated that they are now asking for support of phase two where intensive training would be conducted to assist with career advancement. In addition they would assist with such things as matching savings accounts and approved asset building as training in personal financial goals are means to advancing.
- *Commissioner Cornell* questioned what the percentage was of people who would be placed with in the small business community.
- *Ms. Cassidy* replied that 95% or more are placed in small businesses and the positions would definitely lead to opportunities for advancement.

**Motion on the Floor:** *Commissioner Najar made a motion that the Commission approve the Funding request.*

**Action:** *Seconded by Commissioner Bamba. Unanimous approval by the Commission*

## Item 6

### REQUEST FOR FUNDING FOR SAN FRANCISCO'S ENTERPRISE ZONE PROGRAM [Presentation from Bonnie Carroll, TMC Development Working Solutions]

- *Bonnie Carroll* stated that TMC hopes to provide outreach to the business community on the different tax credits that are available. Her organization would like to provide speakers for each neighborhood and conduct merchant walks to inform the community of the benefits and tax breaks that are available. She asked that Commission for \$60,000 to assist in the implementation of aggressive outreach programs.
- *Emilio Cruz* stated that the amount should be changed to \$50,000 to be able to fund such a program with authorized funds and some procurement funds if necessary.
- *Commissioner Bamba* questioned if TMC would be the sole proprietor and director of the program. She also asked how long TMC has been in existence.





· *Commissioner Bamba* questioned if TMC would be the sole proprietor and director of the program. She also asked how long TMC has been in existence.

· *Ms. Carroll* replied that TMC would be sole proprietor and director and that they have been in operation for two years.

· *Commissioner Bamba* stated that she was inclined to support such a program if other organizations had the opportunity to bid on the project.

· *Scott Hauge, SBN representative*, stated that Bonnie Carroll has been very effective in this field and comes highly recommended as she started these outreach programs while working for the Private Industry Council. He encouraged the Commissioners to support Ms. Carroll.

**Motion on the Floor:** *Commissioner Kaplan made a motion that the Commission works on Identifying funds for such a program.*

**Action:** *Seconded by Commissioner Murphy-Reed. Unanimous approval by the Commission*

## Item 7

### INVENTORY OF SAN FRANCISCO SMALL BUSINESSES ( STUDY ALLOCATION)

#### [Presentation from Commissioner Cornell]

· *Commissioner Cornell* reported to the Commission that he had done some research on how much it would cost to conduct an inventory of the Small Business Community. He stated that it would be valuable information to know how many businesses are in the City, what sizes, and what dynamics are involved in each business.

· *Commissioner Kaplan* stated that finding out would be extremely beneficial and requested that a component be included that states the amount of people that commute to the work from out of City.

· *Commissioner Salma* stated that he would like to identify what is hindering small businesses.

· *Emilio Cruz* stated that the Tax Collector's office could be contacted for a work order to expedite the process for funding.

**Motion on the Floor:** *Commissioner Murphy-Reed made a motion that the Commission pursue the project.*

**Action:** *Seconded by Commissioner Najjar. Unanimous approval by the Commission*

## Item 8



## NEW BUSINESS

*Commissioner Najar* stated that the he would like the Mission Theatre initiative to be addressed in the near future.

## General Public Comments

*Chris Dittenhafer* stated that there was a lot of construction happening on Ocean Avenue. He stated that there should be a stipulation with in the Request for Proposal's that requires the estimated projection time for a project's completion to be met.

*Chris Dittenhafer* also encouraged the Commission to send letters or put in calls to the Supervisors to generate more interaction between the Board of Supervisors and the Small Business Advisory Commission.

## Adjournment

Meeting was adjourned at 7:20. Moved to adjourn by Commissioner Bamba. Seconded by Commissioner Murphy-Reed. Unanimous approval by the Commission.

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**SMALL BUSINESS COMMISSION**



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Stephen Cornell – Interim President  
Marivic Bamba – Interim Vice President  
Gwen Kaplan, Dick Mak, Jose Najjar  
I.Lee Murphy-Reed, Yasin Salma

**NOTICE OF**  
**MEETING**  
**CANCELLATION**

For MONDAY, June 12<sup>th</sup> 2000 5:30PM

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 400  
(415) 554-6134

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**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, July 10, 2000  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – Interim President*

*Marivic Bamba – Interim Vice President*

*Gwen Kaplan, Dick Mak, Jose Najar, Yasin Salma, I. Lee Murphy-Reed*

**Agenda**

**Call to Order**

**1. Roll Call**

*Call of roll of the Small Business Commissioners*

**2. Minutes**

Action Item

*Presentation, discussion and possible action to approve the minutes for May 31<sup>st</sup>, 2000 meeting.*

*Explanatory Documents: Minutes for May 31<sup>st</sup>, 2000*

**3. Rules Of Order**

Action Item

*Discussion and possible action to approve a corrected version of the Commission's Rules of Order*

*Explanatory Documents: Revised Rules of Order*

**4. Small Business Forum - Request for Funding**

Action Item

[Presentation from Supervisor Mark Leno]

*Presentation, discussion and possible action to approve funding for the Small Business Forum.*

*Supervisor Leno will be providing a presentation on the up and coming Small Business Forum. This Forum would be the second of its kind and is planned for October 2000.*

**5. Uprising Community Plus Federal Credit Union**

Discussion Item

[Presentation from Orin Wilder, Director of Uprising Community Plus]

*Presentation on the plans to create a Credit Union in the Bayview/Hunter's Point area.*

*Explanatory Documents: Uprising Community Plus Federal Credit Union information packet.*

**6. Presentation from the Planning Department on the proposed changes to**

Action Item

**Liquor Licensing in Commercial Use Districts.**

[Presentation from the Planning Department]

*Presentation of the changes proposed by the Planning department regarding the issuance of liquor licenses in the Commercial Use Districts. Discussion and possible action to support the proposed changes.*

*Explanatory Documents: Summary of proposed changes.*

**5. New Business**

Action Item

*This item allows the Commission to introduce new agenda items for future consideration*





City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

**Agenda Continued**

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**6. General Public Comment**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**7. Announcement of Mayor's appointment for Director of the Office of Small Business Affairs and Secretary to the Small Business Commission**

Discussion Item

**8. Adjournment**

Action Item

*Requires motion and public comment.*

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## CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**MEETING MINUTES**

Monday, July 10<sup>th</sup> 5:30 PM  
Commissioners' Chamber -- Room 400

**SBA COMMISSIONERS**

STEPHEN CORNELL - INTERIM PRESIDENT  
MARIVIC BAMBA - INTERIM VICE PRESIDENT  
GWEN KAPLAN, DICK MAK, JOSE NAJAR  
ILEE MURPHY-REED, YASIN SALMA

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**Members Present:** Stephen Cornell, Marivic Bamba, Gwen Kaplan, Dick Mak,  
Jose Najjar, Yasin Salma, I. Lee Murphy-Reed

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**Call to order:****Item 1****Roll Call**

- *The Small Business Commission met on July 10th, 2000, in regular session. The meeting was called to order at 5:30 PM*

**Item 2****Announcement of Director of the Office of Small Business Affairs  
and the Commission Secretary**

- *Emilio Cruz announced that the Mayor had made an appointment of the Director of the Office of Small Business Affairs and the Commission Secretary. He announced Daniel Hwang as Director of the Office and Hillary Amsberry as the Commission Secretary.*
- *Daniel Hwang introduced himself and his experience as a small business owner as well. He also stated his appreciation for the opportunity to serve the Mayor and the Commission in this capacity.*

**Motion on the Floor:** *Commissioner Bamba made a motion that the Commission endorse the Appointments.*

**Action:** *Seconded by Commissioner Murphy-Reed. Unanimous approval by the Commission*



## Item 3

### Small Business Forum [Presentation from Mark Leno]

- *Supervisor Mark Leno*, reported that another Forum has been considered and planned for October 11<sup>th</sup>, 2000. He stated that such topics as "dot-coms", non-profits, and rising rent would be discussed. He also stated that he is introducing legislation that would downsize the contiguous lot size.
- *Commissioner Cornell* questioned if affordable housing included purchase and rent.
- *Commissioner Murphy-Reed* questioned the live-work situation and if his legislation would assist those whom the live-works were created for.
- *Supervisor Leno* replied that the live work units of 10 or more would have affordable units.
- *Commissioner Najar* thanked him for his continued support
- *Supervisor Leno* stated that he was here before the Commission to ask that they assist in the funding of the Forum and Co-Sponsor the event.

Motion on the Floor: Commissioner Murphy-Reed made a motion that the Commission endorse and co-sponsor the Forum

Action: Seconded by Commissioner Bamaba. Unanimous approval by the Commission

## Item 4

### Uprising Community Federal Credit [Presentation from Orin Wilder, Director of Uprising Community Plus]

- *Orin Wilder* stated that she came before the Commission and was asked to return when the fully chartered Commission was instated. She stated that her group's purpose is to bring those on welfare and section 8 housing to the bank. She has received 1800 signatures from the community. The difference between her bank and a Credit Union is their intent to serve the 94124 area. They are concerned with making those who come in to the community, contribute to the community. She stated that Loretta Whittle is on the board and the other members make it a strong group to capture capital and make it work.
- *Commissioner Cornell* asked what would be next.
- *Ms. Wilder* replied that they would like to create a relationship between a small business and another big business to create a mentorship program.
- *Commissioner Najar* questioned the eligibility of acquiring loans.
- *Commissioner Murphy-Reed* questioned what it would cost to cash \$100 at check cashing.
- *Commissioner Bamba* stated that her main complaint was that the strict criteria for loans rarely allow for flexibility of obtaining one. She asked how they would still run their business and provide flexibility.
- *Ms. Wilder* replied that the greatest asset they have is their board as they are from the Community and are more willing to spend time looking over each application.
- *Commissioner Salma* stated that the Commission should assist so that they could assist small businesses.
- *Susan Reynolds*, from the office of Community Development, came forward and stated that her office provides assistance also with endeavors such as the Bayview Federal Credit Union.

Motion on the Floor: Commissioner Cornell stated that they would look further into the possibility of funding this type of program.

Action: No action taken



## Item 5

### Presentation from the Planning Department on the Proposed Changes to Liqueur Licensing in Commercial Use Districts

[Presentation from Paul Lord, Department of Planning]

- *Paul Lord* began by stating that the Planning Department has several controls put into place to serve the neighborhoods. The proposed changes would create additional conditional use permits in the Commercial Use Districts. The first task was to define liqueur stores as any establishment with beer, wine, or hard alcohol. He stated that conditional use areas are areas that the ABC has found as a saturated area. He stated that he would like the support of the Commission as this item is going before the Planning Commission on the 13<sup>th</sup> of August. He concluded by saying that those concerned brought about this proposed change with the crime relationship between youth and alcohol.
- *Commissioner Cornell* stated that he was concerned about this change as big developers like in Mission Bay could potentially use up the Liqueur store permits leaving none for the smaller businesses.
- *Commissioner Salma* asked for clarification on drugstores that have 10% of its sales in liqueur and if it would be considered a Liqueur store.
- *Paul Lord* replied that they would still need a liqueur license and therefore would be considered a liqueur store.
- *Commissioner Murphy-Reed* stated that she was concerned because San Francisco has more liqueur licenses than Los Angeles. She asked if the legislation included non-renewal when a license expires
- *Paul Lord* replied that the legislation was not a moratorium.
- *Commissioner Najar* questioned if there were more liqueur stores in general or per capita.
- *Paul Lord* replied in general.
- *Commissioner Bamba* stated that she would like small businesses to have the availability to purchase the license as she doesn't want the legislation to preclude these groups.

Motion on the Floor: Commissioner Murphy-Reed made a motion that the Commission Support the legislation

Action: There was no second motion. Support denied.

## General Public Comments

- No public Comment

## Adjournment

- Meeting was adjourned at 7:20. Moved to adjourn by Commissioner Najar. Seconded by Commissioner Mak. Unanimous approval by the Commission.





City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, August 14, 2000  
 1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – Interim President*

*Marivic Bamba – Interim Vice President*

*Gwen Kaplan, Dick Mak, Jose Najjar, Yasin Salma, I. Lee Murphy-Reed*

**Agenda**

**Call to Order**

**1. Roll Call**

*Call of roll of the Small Business Commissioners*

**2. Nomination of Commissioners**

Action Item

*This item is to allow Commissioners to nominate themselves or fellow Commissioners for the offices of President or Vice President*

**3. Commendations for Barbara Kolesar, Director of the Small Business Advisory Commission**

Action Item

*[Presentation from Stephen Cornell and Daniel Hwang]*

*Presentation of award for services to Barbara Kolesar for her years of dedication to the Small Business Advisory Commission and the Small Business Community*

**4. President's Report**

Discussion Item

*This item is to allow the President of the Commission to report on recent small business activities and make announcements*

**5. Director's Report**

Discussion Item

*This item is to allow the Director of the Office of Small Business Affairs to report on recent OSBA activities and make announcements*

**6. Small Business Forum Update**

Discussion Item

*[Presentation from Paul Pendergast, Pendergast & Associates]*

*Presentation on the plans for the Small Business Forum planned for October 11, 2000*

**7. New Business**

Discussion Item

*This item is to allow the Commissioners to introduce new agenda items for future consideration*

**8. General Public Comment**

Action Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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**9. Adjournment**

Action Item

*Requires motion and public comment*

- \* Public Comment will be taken before or during the Library Commission's consideration of each agenda item.
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## CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**MEETING MINUTES**

Monday, August 14<sup>th</sup> 5:30 PM  
Commissioners Chamber – Room 400

**SBA COMMISSIONERS**

STEPHEN CORNELL - INTERIM PRESIDENT  
MARIVIC BAMBA - INTERIM VICE PRESIDENT  
GWEN KAPLAN, DICK MAK, JOSE NAJAR  
YASIN SALMA, LLEE MURPHY-REED

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**Members Present:** Stephen Cornell, Marivic Bamba, Gwen Kaplan, Jose Najar,  
I. Lee Murphy-Reed, Dick Mak

**Members Absent:** Yasin Salma

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**Call to order:****Item 1****Roll Call**

- *The Small Business Commission met on August 14<sup>th</sup>, 2000, in regular session. The meeting was called to order at 5:35 PM*

**Item 2****Nomination of Commissioners**

- *Commissioner Cornell stated that the Commission had an interim President and an interim Vice-President for 3 months. He stated that they are now open for nominations of the permanent roles.*

**Motion on the Floor:** *Commissioner Kaplan nominated Commissioner Cornell for President. Commissioner Bamba nominated Commissioner Najar for Vice President.*

**Action:** *Nominations will be voted on at the September 11<sup>th</sup>, SBC meeting.*



## Item 3

### Commendations for Barbara Kolesar, Director of the Small Business Advisory Commission

#### [Presentation from Commissioner Cornell and Daniel Hwang]

- *Commissioner Cornell*, began by stating that Barbara Kolesar had worked with the Commission since 1996. He thanked her for her continued support and wished her well in her future endeavors.
  - *Barbara Kolesar* thanked the Commission for allowing her to be a part of their successes and looked forward to seeing the new triumphs of the fully chartered commission
- Action: No action, presentation only.

## Item 4

### Presidents Report

- *Commissioner Cornell* the stated several businesses will be forced to shut down in August and that as a Commission for small businesses we should be thinking of ways to address these issues. He also stated that we are nearing elections and several ballot measures are approaching which will affect small businesses. He encouraged the Commissioners to become familiar with each of the propositions, as several members of the community are sure to come before the Commission with these matters in the near future.

## Item 5

### Director's Report

- *Daniel Hwang*, began by stating that the Office of Small Business Affairs "OSBA" is focusing on developing a platform for funding. He stated that he would like to develop a Request for Funding Proposal process for dispensing funds. He also stated that he is working on a mission statement and description of purpose for OSBA.
- *Michael Segalla*, from Mission Economic Development Association "MEDA", stated that he is very interested in how the RFP process will be conducted. MEDA has submitted a proposal to OSBA for funding for a Mission Street Corridor project.
- *Susan Reynolds* from the Mayors Office of Community Development "MOCD" stated that they have financing for such proposals as the Mission Street Corridor Project.
- *Commissioner Cornell* suggested that Ms. Reynolds returns and gives a presentation on what funding opportunities are available though MOCD.

## Item 6

### Small Business Forum Update

#### [Presentation from Paul Pendergast, Pendergast and Associates]

- *Paul Pendergast*, began by distributing packets on the Small Business Forum. He stated that he officially came on board last Monday and that he was excited about the second forum. Mr. Pendergast stated that the approach thus far was to find out what worked and what didn't from the 1998 Forum. He stated that a planning Committee was being formed and were meeting every Tuesday from 8am – 9am. He introduced Ms. Irene Chung who is working on logistics for the event. He updated the Commission on the status of the location that we will most likely have the Forum at the Westin St. Francis Hotel. He concluded by stating that he would visit the Commission again for another update.





- *Supervisor Leno* thanked the Commission for their support. He stated that he looked forward to second Forum and it's success. He stated that the recommendations from the first were the implementation of an Office of Small Business Affairs and a fully chartered Commission. He stated that in the planning stages of the Forum, they are looking to expand the inclusiveness by inviting back original groups and adding to it. He went on say that one group he hopes to include will be the non-profits. He reminded the Commission that the problems that the Small Business Community faced in 1998 have changed. He stated that 50% of non-profit businesses will have their leases expire in the year 2000 and the cost of square footage will continue to skyrocket. He stated that another intent of the Forum is to promote a response mechanism that is accountable to the small business community and that the Small Business Commission is the perfect entity to play that role and carry out the next set of recommendations.
- *Commissioner Cornell* stated that the report produced from Supervisor Leno's office was a great tool to see what the small business community had to say. He stated that he looked forward to what will come out of the next Forum.

## Item 7

### New Business

- *Commissioner Bamba* asked that a Commissioner's report be included monthly as an agenda item.
- *Adine Varah, City Attorney* stated that any report placed on the agenda will need a brief description of what will be discussed. She stated that Stephen Cornell or Hillary Amsberry should be provided a general description of what a Commissioner would like to discuss and then that item will be placed on the agenda.
- *Commissioner Najar* stated that in the past the Supervisors were assigned to different Commissioners. He felt that the Commission should begin those assignments.
- *Commissioner Murphy-Reed* stated that she received a letter regarding the issue of a moratorium in the Bayview. She read a letter from Mel Washington of the Merchant Association that stated that development was actually encouraged. She went on to say that people are forced out due to a lack of jobs and lack of business opportunity. A copy of this letter can be obtained by calling (415) 554-6134.

## General Public Comments

- *Mr. Hoogasian*, of Hoogasian Flowers, stated that the Gross Receipt Tax Measure would have a terrible effect on small businesses. He stated that some businesses might benefit if the ballot measure passes, but as for his business, he will suffer. He asked that the Small Business Commission look further into the matter.
- *Scott Hauge*, representative of the Small Business Network, reported on medical coverage for the working uninsured. He stated that if you meet the eligibility criteria, you could receive part B Medicare coverage for only 45 dollars per month. In San Francisco, if you make 40k or less you meet the criteria. He stated that he would be working on outreach to small businesses.

## Adjournment

- Meeting was adjourned at 6:20. Moved to adjourn by Commissioner Najar. Seconded by Commissioner Murphy-Reed. Unanimous approval by the Commission.



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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, September 11, 2000  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – Interim President  
Marivic Bamba – Interim Vice President*

*Gwen Kaplan, Dick Mak, Jose Najjar, Yasin Salma, I. Lee Murphy-Reed*

**Agenda**

**Call to Order**

**1. Roll Call**

*Call of roll of the Small Business Commissioners*

**2. Approval of Minutes**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the July 10<sup>th</sup> SBC meeting.*

Explanatory Documents: Minutes from the July 10<sup>th</sup> meeting

**3. Approval of Minutes**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the August 14<sup>th</sup> SBC meeting.*

Explanatory Documents: Minutes from the August 14<sup>th</sup> meeting

**4. Election of Commissioners**

*This item is to allow Commissioners to nominate themselves or a fellow Commissioner for the Offices of Commission President and Vice President and to elect the Commission President and Vice President*

**5. President's Report**

Discussion Item

*This item is to allow the President of the Commission to report on recent small business activities and make announcements. This report shall include an update on the gross receipts and payroll tax issue.*

**6. Director's Report**

Discussion Item

*Presentation from the Director of the OSBA. This presentation shall include a report on the Small Business and Entrepreneurial Forum, and an update on OSBA's roles, descriptions, mission statement, and grant programs.*

**7. New Business**

Discussion Item

*This item is to allow the Commissioners to introduce new agenda items for future consideration*

**8. General Public Comment**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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**9. Adjournment**

Action Item

*Requires motion and public comment*

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# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

### MEETING MINUTES

Monday, September 11<sup>th</sup> 5:30 PM  
Commissioners Chamber – Room 400

#### SBA COMMISSIONERS

STEPHEN CORNELL - INTERIM PRESIDENT  
MARIVIC BAMBA - INTERIM VICE PRESIDENT  
GWEN KAPLAN, DICK MAK, JOSE NAJAR  
YASIN SALMA, I LEE MURPHY-REED

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Members Present: Stephen Cornell, Marivic Bamba, Gwen Kaplan, Dick Mak,  
Jose Najjar, I. Lee Murphy-Reed, Yasin Salma

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#### Call to order:

### Item 1

#### Roll Call

- *The Small Business Commission met on September 11<sup>th</sup>, 2000, in regular session. The meeting was called to order at 5:35 PM*

### Item 2

#### Approval of Minutes for July 10<sup>th</sup>, 2000

Action: Commissioner Kaplan moved to approve the minutes. Commissioner Salma seconded. Unanimous approval from the Commission

### Item 3

#### Approval of Minutes for August 14<sup>th</sup>, 2000

Action: Commissioner Murphy moved to approve the minutes. Commissioner Kaplan seconded. Unanimous approval from the Commission





## Item 4

### Election of Commissioners

- *Commissioner Cornell* stated that the Commission was still taking nominations for the role of President and Vice President. He asked for any further nominations, being none they move to vote on the nomination of Jose Najjar for Vice President and Stephen Cornell as President.

Action: The Commission voted unanimously for Commissioner Najjar as Vice President and Commissioner Cornell as President.

## Item 5

### Presidents Report

- *Commissioner Cornell* stated that he too was concerned that the Small Business was not notified about the Department of Building Inspection's proposed changes to aisle width requirements. He went on to say that the Commission should follow up with the Treasurer/Tax Collector's Office regarding Proposition I and stated that he would be meeting with their office.
- *Commissioner Salma* stated that the Small Business Commission should be notified of these activities and would like a better system of funneling information through and to the Commission.
- *Commissioner Bamba* suggested that the Director send a letter notifying other departments of the Commission's existence.
- *Commissioner Murphy-Reed* stated that she was looking at the document and questioned who wrote the accessibility laws. The City Attorney interrupted the conversation, as the Commission was not at liberty to discuss the item at that time.
- *Commissioner Kaplan* expressed her frustration that they were not notified prior to the hearing.
- *Pat Christensen, Christensen and Associates* expressed her frustration about Proposition I. She stated that it was not acceptable that Proposition I was not brought before the Commission. She stated that this item should be addressed in the near future. She asked several logistical questions regarding which could not be answered until the item was on the agenda as a discussion item.

## Item 6

### Director's Report

- *Daniel Hwang*, began by stating that the Office of Small Business Affairs "OSBA" is still in the progress of developing the platforms for funding. He asked that the item be discussed further at the next meeting. He also stated that the Forum planning is going well and two chairs have been selected, Sandy Sohcot and Melvin Washington. He directed the Commissioners to a packet of information regarding the Forum that illustrated the ten discussion topics, Forum location specifics, and other logistical information.
- *Hillary Amsberry*, stated that she is working on the Small Business Commission web-site and that she would like input from the Commission on how to move forward. She recommended that the Commissioner's review other web-sites. She also stated that the Department of Building Inspection contacted the Office of Small Business Affairs and is planning on attending the next commission meeting.



## Item 7

### New Business

- *Commissioner Bamba* made a recommendation that the Commission send a letter of support to the Governor regarding the Regulatory Reform Bill.
- *Commissioner Cornell* stated that the Commission could not send a letter of support with out it being a discussion item.
- *Commissioner Salma* stated that he would like to see the Commissioner's go further than acting as a liaison. He stated that he would like to have neighborhoods and Supervisors assigned to each Commissioner.
- *Commissioner Cornell* stated that because the Commission will need to discuss how neighborhoods and Supervisor's should be divided up this item should be discussed further at a later date as an action item.
- *Scott Hange*, stated that at the last meeting he discussed the pilot program in San Francisco regarding Social Security and Medicare Part B and that a letter went to Daniel Hwang and wanted to know what has developed.
- *Daniel Hwang* replied that he did review the documents and that he sent it to other departments as well and that he was waiting for more feedback and clarification. He went on to say that the item came in the mix of the developmental stage of the office and he apologized for not getting back to him sooner.
- *Scott Hange* stated that if there was not any intention to do anything for the program, than Mr. Hwang should not have requested a letter. He expressed his frustration for time he spent and lack of attention to the pilot program that could have helped many San Franciscans.
- *Daniel Hwang* apologized once again and stated that the office has been looking into the program but that other departments are involved as well and their input is mandatory before the Office of Small Business can move forward.
- *Rolf Mueller* stated that there was legislation regarding coordination among all public works done to a street, so that the street could be opened up all at once to avoid on going and sporadic construction. He stated that the legislation is not working and that the Commission should take an active roll in expediting the ordinance.
- *Commissioner Kaplan* requested information on the status of the legislation.
- *Commissioner Cornell* stated that after the next hearing, the issue would be addressed.

## General Public Comments

- *Bruce Bonacker, representing the National Association of the Remodeling Industry, San Francisco Chapter*, came before the Commission as the local voice for remodeling in the City. He is with the construction industry and stated that he was pleased to see the Commissioners elevated to their new positions. He stated that he represents 150 firms and 5% of the remodeling industry, all of which are small businesses. He closed in saying that he is pleased to know that there is a voice for the small business community where it's members can come and discuss their issues.
- *Steve Vetel, representing a retailer in San Francisco*, came before the Commission to address the issue of the proposed ordinance for expanding the aisle widths in retail stores. He stated that 25-50% of a retailer's merchandise might need to be removed if the ordinance passes. HE stated that it was not thought out very well and that it would definitely have negative effects on retailers. He closed in saying that a hearing will be held on September 15<sup>th</sup> at the Department of Building Inspection; he encouraged the Commissioner's and general public to attend and give their testimony.
- *Commissioner Cornell* stated that he would be attending the hearing.
- *Commissioner Babma* stated that she would like to have Frank Chiu, director of the Department of Building Inspection, attend the next Commission meeting to discuss this item.



## Item 7

### New Business

- *Commissioner Banba* made a recommendation that the Commission send a letter of support to the Governor regarding the Regulatory Reform Bill.
- *Commissioner Cornell* stated that the Commission could not send a letter of support without it being a discussion item.
- *Commissioner Sabna* stated that he would like to see the Commissioner's go further than acting as a liaison. He stated that he would like to have neighborhoods and Supervisors assigned to each Commissioner.
- *Commissioner Cornell* stated that because the Commission will need to discuss how neighborhoods and Supervisor's should be divided up this item should be discussed further at a later date as an action item.
- *Scott Hauge*, stated that at the last meeting he discussed the pilot program in San Francisco regarding Social Security and Medicare Part B and that a letter went to Daniel Hwang and wanted to know what has developed.
- *Daniel Hwang* replied that he did review the documents and that he sent it to other departments as well and that he was waiting for more feedback and clarification. He went on to say that the item came in the mix of the developmental stage of the office and he apologized for not getting back to him sooner.
- *Scott Hauge* stated that if there was not any intention to do anything for the program, than Mr. Hwang should not have requested a letter. He expressed his frustration for time he spent and lack of attention to the pilot program that could have helped many San Franciscans.
- *Daniel Hwang* apologized once again and stated that the office has been looking into the program but that other departments are involved as well and their input is mandatory before the Office of Small Business can move forward.
- *Rolf Mueller* stated that there was legislation regarding coordination among all public works done to a street, so that the street could be opened up all at once to avoid on going and sporadic construction. He stated that the legislation is not working and that the Commission should take an active roll in expediting the ordinance.
- *Commissioner Kaplan* requested information on the status of the legislation.
- *Commissioner Cornell* stated that after the next hearing, the issue would be addressed.

## General Public Comments

- *Bruce Bonacker, representing the National Association of the Remodeling Industry, San Francisco Chapter*, came before the Commission as the local voice for remodeling in the City. He is with the construction industry and stated that he was pleased to see the Commissioners elevated to their new positions. He stated that he represents 150 firms and 5% of the remodeling industry, all of which are small businesses. He closed in saying that he is pleased to know that there is a voice for the small business community where it's members can come and discuss their issues.
- *Steve Vetel, representing a retailer in San Francisco*, came before the Commission to address the issue of the proposed ordinance for expanding the aisle widths in retail stores. He stated that 25-50% of a retailer's merchandise might need to be removed if the ordinance passes. HE stated that it was not thought out very well and that it would definitely have negative effects on retailers. He closed in saying that a hearing will be held on September 15<sup>th</sup> at the Department of Building Inspection; he encouraged the Commissioner's and general public to attend and give their testimony.
- *Commissioner Cornell* stated that he would be attending the hearing.
- *Commissioner Babna* stated that she would like to have Frank Chiu, director of the Department of Building Inspection, attend the next Commission meeting to discuss this item.



- *Scott Hange, representing Cal Insurance*, stated that support from the Commission had been put in regarding AB 505 (Regulatory Reform Bill) legislation and was passed by the Assembly and Senate. Currently it is on the Governor's desk and he encouraged the Commissioner's to write a letter of support. He went on to say that he is working to set up Small Business Commissions throughout California. He will be meeting with different people and identifying liaisons for the set up. He stated that there are three Small Business Commissions in the state and he would like to get help at some point from a Commissioner to act as a liaison to assist in establishing more Small Business Commissions.
- *Rolf Mueller, member of the Small Business Network*, asked for clarification on the Small Business Forum kick-off event. He stated that he attended the Small Business Forum Kick-off and it was a waste of his time as he was not able to give any input and asked what was the purpose of the event.
- *Daniel Hwang* stated that the purpose of the event was to kick-off the Forum to alert the Small Business Community that the Forum is coming. He went on to say that more outreach would take place and there would be an opportunity in the future to give input.

## Adjournment

- Meeting was adjourned at 7:05. Moved to adjourn by Commissioner Kaplan. Seconded by Commissioner Salma. Unanimous approval by the Commission.





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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Thursday, October 19, 2000  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – Interim President*

*Marivic Bamba – Interim Vice President*

*Gwen Kaplan, Dick Mak, Jose Najjar, Yasin Salma, I. Lee Murphy-Reed*

**Agenda**

**Call to Order**

**1. Roll Call**

*Call of roll of the Small Business Commissioners*

**2. Approval of Minutes**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the September 11th SBC meeting.*

Explanatory Documents: Minutes from the September 11<sup>th</sup> meeting

**3. Proposed Business Tax Ordinance (Proposition I)**

Action Item

*[Presentation from Susan Leal, City Treasurer]*

*Presentation and discussion of the November Ballot measure, Proposition I, regarding the changes in gross receipt and payroll taxes.*

Explanatory Documents: Fact Sheet on Proposition I.

**4. Discussion on Disabled Access and the Proposed Administrative Bulletin  
Regarding Aisle Widths Within Merchandise Pads in Retail Stores**

Action Item

*[Presentation from the Department of Building Inspection]*

*Presentation and discussion of the draft copy of the proposed Department of Building Inspection Administrative Bulletin regarding guidelines for providing disabled accessible aisle widths within "merchandise pads" in retail stores.*

Explanatory Documents: Department of Building Inspection Memorandum including: Draft Copy of Proposed Administrative Bulletin NO. AB – 038 and excerpts from the 1998 California Building Code

**5. Report on the Small Business and Entrepreneurial Forum**

Action Item

*[Presentation from Paul Pendergast of Pendergast & Associates]*

*Presentation and discussion of the proceedings from the Small Business and Entrepreneurial Forum.*

**6. President's Report**

Discussion Item

*This item is to allow the President of the Commission to report on recent small business activities and make announcements.*



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

**Agenda Continued**

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**7. Director's Report**

Discussion Item

*Presentation from the Director of OSBA. This presentation shall include a report on a donation to the Clean City Coalition and a review of the office mission statement potential grant programs.*

**8. New Business**

Discussion Item

*This item is to allow the Commissioners to introduce new agenda items for future consideration*

**9. General Public Comment**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**10. Adjournment**

Action Item

*Requires motion and public comment*

- \* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.
- \*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.

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**Know Your Rights Under The Sunshine Ordinance**

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City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

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## **Disability Access Policy**

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# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

*City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102*

### MEETING MINUTES

Thursday, October 19, 2000 5:30 PM  
Commissioners Chamber – Room 400

#### SBA COMMISSIONERS

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, LLEE MURPHY-REED

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**Members Present:** Stephen Cornell, Marivic Bamba, Gwen Kaplan, Dick Mak  
I. Lee Murphy-Reed, Yasin Salma

**Members Absent:** Jose Najjar

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#### Call to order:

### Item 1

#### Roll call

- *The Small Business Commission met on October 19th, 2000, in regular session. The meeting was called to order at 5:40 PM*

### Item 2

#### Approval of Minutes for September 11th, 2000

**Action:** *Commissioner Murphy-Reed moved to approve the minutes. Commissioner Kaplan seconded. Unanimous approval from the Commission*





## Item 3

### Proposed Business Tax Ordinance (Proposition I)

- Ms. Susal Leal, City Treasurer, came to present an overview of Proposition I ("Prop I") and how it came to the ballot. Before she went into the presentation she stated that the Treasurer's Office did produce some things that the small business community would be pleased to hear about. She stated that businesses could register their licenses and do property taxes on line. She encouraged the on-line use as it takes approximately three minutes and there is no fee for businesses when using a credit card. She began her presentation on Prop I by stating that she can only give objective information as she can not advocate one way or another for the measure. The City had been sued by a number of businesses for it's taxation policy, some felt it was unconstitutional that a business paid the higher of the gross receipt and payroll tax. The court ruled that the alternative nature of the tax gives the potential of being unconstitutional and the City was forced to give back money. The legal counsel for the matter determined that eliminating one of the taxes would be the best way to resolve the problem. Thus, they proposed eliminating the gross receipt tax and raising the payroll tax. She stated that some positive changes will occur such as lower registration fees and consolidation of license fees. However, while 62,000 will experience those benefits, 8,000 could experience higher taxes, as the payroll tax will fluctuate from 1.4 to 1.7. She closed in saying that she not the Mayor wanted to make this change, but because they are in a legal bind, the elimination of the gross receipt tax was the only way of resolving the matter.
- Commissioner Cornell asked if the passing of Prop I would remedy the issue and declare the matter resolved.
- Ms. Leal stated that it should be a viable remedy before the court.
- Commissioner Cornell asked how our city taxation compares to other cities.
- Ms. Leal stated that we are on the high side of taxation. We are a small city of 700,000, but in the day we accommodate 3-4 million.
- Donna Horowitz, member of the small business community, asked why they are complicating things when the case is over.
- Ms. Leal stated that the controller established the proposal and that the intention was not to make it more difficult but to have a rate that could stay at 1.5 or lower and the business community could share in the positive return.
- Rolf Mueller, member of the small business community, stated that this issue arose in 1990 and there was ample warning and he stated that he hopes the City will take note of this error to prevent problems like this in the future.
- Sandy Sohcot, president of the Small Business Network, asked why organizations such as banks, insurance companies and skilled nursing facilities are exempt from taxes.
- Ms. Leal stated that they are exempt under state law.

Action: No action, presentation only



## Item 4

### DISCUSSION ON DISABLED ACCESS AND THE PROPOSED ADMINISTRATIVE BULLETIN REGARDING AISLE WIDTHS WITHIN MERCHANDISE PADS IN RETAIL STORES

[Presentation from Frank Chiu, Director of Department of Building Inspection]

- Frank Chiu, Director of the Department of Building Inspection "DBI" stated that the Administrative Bulletin had been around since 1982. The law states that sales areas must remain accessible to the physically disabled. He stated that the law wasn't clear regarding aisle width and when a lawsuit was filed against DBI, they decided to work with the community to establish a reasonable approach. When the original proposal went out, the small business community felt it was too restrictive and the disabled community felt it was too lenient. He stated that they are at square one looking to establish some consensus between the disabled and small business community.
- Commissioner Salma asked if there was a lawsuit involved in this matter
- Mr. Chiu stated that there was a federal lawsuit.
- Commissioner Murphy-Reed asked if the regulations would be focusing on all retailers such as stores like Macys and "mom-and-pops".
- Mr. Chiu stated that it would be applied to all businesses that have recently remodeled their business.
- Commissioner Mak asked if the requirements were for existing or new businesses.
- Mr. Chiu replied that state law stated that if your remodeling took place before 1982 than you are exempt.
- Rolf Mueller, member of the small business community, asked if this is only for retailers and how it would effect other businesses such as a dentist office
- Mr. Chiu stated that it applied to offices as well if they have remodeled their business.
- Donna Horowitz stated that she would like to see the Department go back to the state and look at the numbers as 32 inches was suffice in the past.

Action: No action, presentation only.

## Item 5

### Report on the Small Business and Entrepreneurial Forum

[Presentation from Paul Pendergast, of Pendergast and Associates]

- Paul Pendergast gave an overview of the diversity of attendees from the forum. He thanked the sponsors, Mayor and Commission for assisting in such a successful event. He stated that the draft of recommendations would be available to the public in 3-4 weeks.
- Commissioner Cornell stated that he was please to hear that there was no disconnect from what was discussed in the sessions and what was presented to the Mayor. He also asked how much longer Mr. Pendergast would be working on this project.
- Mr. Pendergast stated that he would be working till the final report is finished and distributed.
- Rolf Mueller stated that he was a participant in the Forum and he enjoyed the event. HE asked what the product would be from the Forum.
- Mr. Pendergast stated that there wasn't much follow-up from the 1998 Forum, but now with the Office of Small Business Affairs we are committed to a follow-up plan that will show our successes.
- Barbara Panacea, Retail Owner, asked how prioritizing of the recommendations would take place being that there were two per group.
- Daniel Hwang, Director of the Office of Small Business Affairs, stated that once all of the recommendations are in, they will be able to prioritize and get a real sense of what can be done with the resources available.



## Item 6

### President's Report

- President Cornell began by stating that he had been attending some meetings regarding the Home Depot, which is coming to the City. HE stated that he would be directly affected, as the proposed size would be 103,000 square feet and another 30,000 outside. The community and business came up with a compromise, which would be a smaller facility. He also reported that he attended a Polk street meeting regarding a video store coming to the neighborhood. He stated that because of the discretionary review legislation, the store came under that ordinance.

## Item 7

### Director' Report

- Daniel Hwang reported that there have been several walk-in constituents and asking about the office and that people are starting to realize that the office exists. He stated that he is going to delay discussion on the office roles and description until the recommendations are in. He stated that he made a \$10,000 contribution to the clean city campaign.

## Item 8

### General Public Comment

- Commissioner Cornell stated that he would like the General Public Comments to be first on the agenda.
- Commissioner Salma stated that there are several recommendations from the forum that need to be completed in as early as three months and that we will need more help in meeting those goals.
- Daniel Hwang stated that he has been looking into an additional person for the office and would like to bring it before the Commission as an action item at the next hearing.
- Commissioner Salma stated that there should be liaisons that work with the Board of Supervisors, District Merchant, etc.
- Commissioner Cornell stated that they would address that topic as soon as elections are over and the new Board of Supervisors is established.
- Commissioner Salma asked that staff look into health coverage for the Commissioners for the next meeting.

## Item 9

### New Business

- Scott Hauge stated that he is starting Small Business Networks around the state and he is currently working with Edna Bruce. They are currently focusing on procurement but are looking to expand.

## Item 10

### Adjournment

- Meeting was adjourned at 7:15. Moved to adjourn by Commissioner Murphy-Reed. Seconded by Commissioner Salma. Unanimous approval by the Commission.





Small Business Advisory  
Commission City and County of  
San Francisco



## SBA Commissioners

Stephen Cornell - Interim President  
Marivic Bamba - Interim Vice  
President  
Gwen Kaplan, Dick Mak, Jose Najar  
I. Lee Murphy-Reed, Yasin Salma

## City and County of San Francisco

SMALL BUSINESS COMMISSION

Notice of Meeting &amp; Agenda for Monday, November 13, 2000

1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

## SMALL BUSINESS COMMISSION

*Stephen Cornell - President**Jose Najar - Vice President**Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee  
Murphy-Reed*

Director - Daniel Hwang

Commission Secretary - Hillary Amsberry

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## Agenda

## Call to Order

## 1. ROLL CALL

*Call of roll of the Small Business Commissioners*2. APPROVAL OF MINUTES Action Item*Presentation of, discussion of and possible action to approve the minutes for the October  
19<sup>th</sup>, 2000 Small Business Commission meeting.*

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Explanatory Documents: Minutes from the October 19<sup>th</sup> meeting.

### 3. GENERAL PUBLIC COMMENT Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

### 4. AMENDMENT TO PART II, CHAPTER II, OF THE PLANNING CODE TO REQUIRE CONSIDERATION WHEN MAKING CONDITIONAL USE FINDINGS FOR COMDITIONAL USE APPLICATION FOR MOVIE THEATERS, ADULT ENTERTAINMENTS AND OTHER ENTERTAINMENT USES IN NEIGHBORHOOD COMMERCIAL USE DISTRICTS. Action Item

[Presentation from the Paul Lord, Department of Planning]

*Presentation, discussion and possible action to support the proposed ordinance.*

Explanatory Documents: Proposed Ordinance with the Board of Supervisors, File No. 001422

### 5. AMENDMENT TO PART II, CHAPTER II, OF THE PLANNING CODE BY ADDING A SECTION WHICH WOULD ESTABLISH A 30-DAY MAILING AND POSTING NOTIFICATION REQUIREMENT FOR BUILDING PERMIT APPLICATIONS PROPOSING DEMOLITION, ALTERATIONS AND OTHER TYPES OF NEW CONSTRUCTION Action Item

[Presentation from Paul Lord, Department of Planning]

*Presentation, discussion and possible action to support the proposed ordinance.*

Explanatory Documents: Proposed Ordinance with the Board of Supervisors, File No. 001423

### 6. SMALL BUSINESS FORUM UPDATE Action Item

[Presentation from Paul Pendergast from Pendergast and Associates]

*Presentation discussion and possible action to begin working on the recommendations from the Forum.*

**City and County of San Francisco**

## **SMALL BUSINESS COMMISSION**

### *Agenda Continued*

### 7. NEW POSITION FOR THE OFFICE OF SMALL BUSINESS AFFAIRS Action Item

[Presentation from Daniel Hwang, Director of the Office of Small Business Affairs]



*Presentation, discussion and possible action to approve the creation of a project coordinator position for the Office of Small Business Affairs. This position would include work for the Commission, the Office of Small Business Affairs and work on special projects for the small business community.*

#### **8. PRESIDENT'S REPORT Discussion Item**

*This item is to allow the President of the Commission to report on recent small business activities and make announcements. Discussion on the proposed amendment to the planning code regarding zoning and*

*tobacco retail uses File number 001972, sponsored by Supervisor Anuniano.*

Explanatory Documents: Legislative Digest, File No. 001972. Article from the 11/8/00 Chronicle Paper.

#### **9. DIRECTOR'S REPORT Discussion Item**

*Presentation from the Director of OSBA. This presentation shall include a report on the Office description, the Getting a Business Started Guide, health insurance for the Commissioners, nameplates, Commission web-site and implementation plans for the recommendations from the Small Business Forum.*

#### **10. NEW BUSINESS Discussion Item**

*This item is to allow the Commissioners to introduce new agenda items for future consideration*

#### **11. ADJOURNMENT Action Item**

*Requires motion and public comment*

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1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102-4683

Office: (415) 554-7724

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Friday, February 02, 2001 09:13:12



# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

### MEETING MINUTES

Monday, November 13, 2000 5:30 PM  
Commissioners Chamber – Room 400

#### SBA COMMISSIONERS

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, LLEE MURPHY-REED

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**Members Present:** Stephen Cornell, Marivic Bamba, Gwen Kaplan, Dick Mak  
I. Lee Murphy-Reed, Yasin Salma

**Members Absent:** Jose Najjar

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#### Call to order:

### Item 1 ROLL CALL

- The Small Business Commission met on November 13<sup>th</sup>, 2000, in regular session. The meeting was called to order at 5:45 PM

### Item 2 APPROVAL OF MINUTES FOR OCTOBER 13th, 2000

**Action:** Commissioner Murphy-Reed moved to approve the minutes. Commissioner Kaplan seconded. Unanimous approval from the Commission





## Item 3

### GENERAL PUBLIC COMMENT

- Scott Hauge stated that he wanted to report on three items. He stated that he is working with the Workforce Investment Board ("WIB") trying to coordinate efforts to make the organization more small business friendly. He stated that most people do not have a clear understanding of the role of WIB and that a Workforce task force is being developed. He reported that he would be attending a forum in Los Angeles along with Daniel Hwang and Stephen Cornell to assist with small business support. Lastly he urged the Commission and public to participate in Junior Achievement, a mentoring program to children in grades K-12.
- Rolf Mueller stated that he did not receive an agenda and that he would like to see more people in the meetings to come.
- K.D. Sullivan a representative from SCORE introduced herself and stated that the organization will be expanding their services and would like to come before the commission and give a presentation of the changes, improvements, and outreach that SCORE has achieved.

*Action: No action, presentation only*

## Item 4

AMENDMENT TO PART II, CHAPTER II, OF THE PLANNING CODE TO REQUIRE CONSIDERATION WHEN MAKING CONDITIONAL USE FINDINGS FOR CONDITIONAL USE APPLICATION FOR MOVIE THEATERS, ADULT ENTERTAINMENTS AND OTHER ENTERTAINMENT USES IN NEIGHBORHOOD COMMERCIAL USE DISTRICTS.

[Presentation from the Paul Lord, Department of Planning]

- Paul Lord stated that the amendment would ensure that the conditional use would evaluate the concentration of these types of establishments in an area. The Amendment would force the uses of such establishments to be defined as necessary, compatible, and not detrimental to a community. He went on to say that it adds the regulation that a business must have a conditional use permit to operate after 2a.m. and before 6 a.m.
- Commissioner Cornell questioned how businesses that make early morning deliveries would be affected.
- Lord replied that it is not considered hours of operation unless there is a noise factor involved and this is also for new establishments.
- Commissioner Kaplan stated that she would like to support the light industry businesses and that Howard Quinn prints his newspapers until 8:00 a.m. Rainbow Groceries is also an operating business until the early morning and she questioned how they would be affected.
- Lord replied that the two businesses mentioned do not fall into the neighborhood commercial district.
- Rolf Mueller commented that he had been following this item and urged the Commission to support the amendments.
- Adine Varah City Attorney stated that the Commission could only support the amendment.

*Action:* Commissioner Murphy-Reed moved to support the amendment and Commissioner Salma seconded. Unanimous approval from the Commission

## Item 5

AMENDMENT TO PART II, CHAPTER II, OF THE PLANNING CODE BY ADDING A SECTION WHICH WOULD ESTABLISH A 30-DAY MAILING AND POSTING NOTIFICATION REQUIREMENT FOR BUILDING PERMIT APPLICATIONS PROPOSING DEMOLITION, ALTERATIONS AND OTHER TYPES OF NEW CONSTRUCTION

[Presentation from Paul Lord, Department of Planning]

- Paul Lord began by stating that typically there is no notification to the community when their neighboring businesses are going to be under construction or if residency is changing. The



- communities said please give us notification of what is coming into the neighborhood. The staff began looking at the issue and he stated that the solution is simple; post notification at the property site what business will be coming in or if any construction will be taking place 30 days prior. Mr. Lord closed in saying that he felt it was a good neighbor policy.
- Commissioner Cornell reiterated the Council of District Merchants' concerns. People were disappointed with the 30-day rule, as it is becoming so arduous to conduct business in the City.
- Commissioner Salma questioned what would happen if a business lost it's lease and another business was to move in.
- Mr. Lord stated that as long'as the new business was the same type of business there would not be a problem.
- Rolf Mueller stated that the 20-day notice had no support and he urged the Commission to support the amendment.
- Mr. Lord encouraged more communication between the Planning department and the Commission as several of the issues overlap. He closed in stating that he would be willing to discuss issues whenever requested.

Action: Commissioner Bamba moved to support the amendment and Commissioner Murphy-Reed seconded. Unanimous approval from the Commission

## Item 6

### SMALL BUSINESS FORUM UPDATE

*[Presentation from Paul Pendergast from Pendergast and Associates]*

- Paul Pendergast stated that the recommendations were not yet ready. He stated that the report would be about 200 pages long consolidating 700 pages of recommendations. Friday a draft will be available and there will be one week for suggested changes and addenda. He stated that the Executive Planning Committee would meet the first week in December.

## Item 7

### NEW POSITION FOR THE OFFICE OF SMALL BUSINESS AFFAIRS

*[Presentation from Daniel Hwang, Director of the Office of Small Business Affairs]*

- Daniel Hwang stated that with all of the outreach and work to do with and for the small business community, he would like to get approval to move forward in looking to create a new position in the Office of Small Business Affairs.
- Scott Hauge questioned what the Commission's role would be in creating this position.
- Mr. Hwang stated that this request is simply to move forward in looking at the possibilities of a new hire in the office. He stated that the Commission would evaluate and ultimately approve the description and the person for the office. He went on to say that it take several months to create and approve a new position and that he would like the Commission's approval to look into the matter further.

Action: Commissioner Murphy-Reed moved to support the request to look into the possibilities of hiring another person in the Office of Small Business Affairs and Commissioner Bamba seconded. Unanimous approval from the Commission

## Item 8

### PRESIDENT'S REPORT

- Commissioner Cornell stated that Proposition I did not pass. He also stated that the legislation that the Commissioners received in their packets regarding the tobacco use legislation should be coming to the Commission shortly.



## **Item 9**

### **DIRECTOR'S REPORT**

- Daniel Hwang stated that they are pushing to complete the "Getting a Business Started" guide in January 2001. He stated that they are still working on the web-site and need the bios from the Commissioners.

## **Item 10**

### **NEW BUSINESS**

- Commissioner Salma stated that the public should be notified 4-5 days before the meeting so they will have time to fit the meetings into their schedules.
- Commissioner Cornell stated that he was already in discussion about this item and he and staff are strategizing on how to improve the outreach.
- Commissioner Salma stated that the Office should attend some of the different merchant meetings.
- Daniel Hwang stated that it is difficult to attend many meeting with only two people in the office.

## **Item 11**

### **ADJOURNEMENT**

- Meeting was adjourned at 8:00. Moved to adjourn by Commissioner Salma. Seconded by Commissioner Bamba. Unanimous approval by the Commission.



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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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*Notice of Meeting & Agenda for Monday, December 11<sup>th</sup>, 2000*  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee Murphy-Reed*

*Director – Daniel Hwang*

*Commission Secretary – Hillary Amsberry*

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

*Presentation of, discussion of and possible action to approve the minutes for the November 13<sup>th</sup> 2000 Small Business Commission meeting.*

Explanatory Documents: Minutes from the November 13<sup>th</sup> meeting.

Action Item

**3. GENERAL PUBLIC COMMENT**

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

Discussion Item

**4. PRESENTATION FROM GLOBE-1/ONVIA.COM**

*[Presentation from George Hannible]*

*Globe-1/Onvia.com is an electronic commerce company that notifies companies of procurement opportunities. They specialize in serving small and minority and women owned businesses.*

Explanatory Documents: Globe-1/Onvia.com brochure

Action Item

- 5. PROPOSED ORDINANCE TO AMEND ARTICLE 6 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (BUSINESS AND TAX REGULATIONS CODE), BY AMENDING SECTION 6.9-2, AUTHORIZING THE TAX COLLECTOR TO WAIVE THE REQUIREMENT THAT EVERY BUSINESS FILE A TAX RETURN, WHERE THE TAXPAYER WOULD OWE LESS THAN A MINIMUM FILING AMOUNT, NOT TO EXCEED \$500, TO BE SET ANNUALLY BY THE TAX COLLECTOR.**

Action Item

*[Presentation from Treasurer Tax Collector's Department]*

*Presentation, discussion and possible action to support the proposed ordinance.*

Explanatory Documents: Proposed Ordinance with the Board of Supervisors, File No. 002019





## Agenda Continued

6. **SMALL BUSINESS FORUM UPDATE** Action Item  
*[Presentation from Paul Pendergast from Pendergast and Associates and OSBA Director, Daniel Hwang]  
Presentation discussion and possible action to begin working on the recommendations from the Forum.*
7. **PRESENTATION ON THE DISTRICT ATTORNEY'S BAD CHECK PROGRAM** Action Item  
*[Presentation from Glenn Baker, District Attorney's Office]  
Presentation, discussion and possible action to support the bad check program and urge the program to be conducted with in the District Attorney's Office.*
8. **PRESIDENT'S REPORT** Discussion Item  
*This item is to allow the President of the Commission to report on recent small business activities and make announcements.*
9. **DIRECTOR'S REPORT** Discussion Item  
*Presentation from the Director of OSBA. This presentation shall include a report on the Office budget and job description and implementation plans for the recommendations from the Small Business Forum.*
10. **NEW BUSINESS** Discussion Item  
*This item is to allow the Commissioners to introduce new agenda items for future consideration*
11. **ADJOURNMENT** Action Item  
*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.

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## **Know Your Rights Under The Sunshine Ordinance**

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

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San Francisco, CA 94102-4683  
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### **Disability Access Policy**

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# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

### MEETING MINUTES

Monday, December 11<sup>th</sup>, 2000 5:30 PM  
Commissioners Chamber – Room 400

#### SBA COMMISSIONERS

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, LLEE MURPHY-REED

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Members Present: Stephen Cornell, Marivic Bamba, Gwen Kaplan  
Dick Mak, Jose Najjar, I. Lee Murphy-Reed, Yasin Salma

#### Call to order:

##### Item 1 - ROLL CALL

- The Small Business Commission met on December 11<sup>th</sup>, 2000, in regular session. The meeting was called to order at 5:38 PM.

##### Item 2 - APPROVAL OF MINUTES FOR NOVEMBER 11<sup>TH</sup>, 2000

- Rolf Mueller stated that he did not receive the minutes from the November 11<sup>th</sup> meeting and would like to get the minutes in the future.  
Action: Commissioner Salma moved to approve the minutes. Commissioner Murphy-Reed seconded. Unanimous approval from the Commission.

##### Item 3 - GENERAL PUBLIC COMMENT

- No general public comment.

##### Item 4 - PRESENTATION FROM GLOBE-1/ONVIA.COM

[Presentation from Globe-1/Onvia.com]

- George Hannible, Outreach coordinator for Globe-1/Onvia.com, stated that their company was looking to bring procurement opportunity to San Francisco.
- Glenn Bladwin, founder of Globe-1/Onvia.com stated that the company began as a small business but has expanded to 400 people. He stated that the company strives to bridge the divide between minority/women owned businesses and procurement opportunities.
- Mr. Gilmore, of Globe-1/Onvia.com, stated that there is an existing contract with the Department of Commerce which has funded the outreach to minority and women owned businesses by letting them know of contracting opportunities available. He stated that their company notifies these businesses via fax or e-mail. He said there was an option to expand that scope to small businesses, if that was the requested direction.
- Commissioner Murphy-Reed asked if the Mayor was aware and supportive of such a project.



- Secretary Hillary Amsberry stated that the Mayor had supported this project as it was once a City supported collaboration through the Minority Business Opportunity Council (MBOC). She went on to say that when MBOC lost it's funding the program was never redirected.
  - Commissioner Bamba asked if the contracts would include federal contract opportunities. She also stated that MBOC needed a database to work and asked how the group would collaborate a database and lastly she asked what would be the definition of a small business.
  - Mr. Gilmore stated that the contracts could include federal contracts, that the database would need to be worked out by the Office of Small Business Affairs and that the Commission and staff would define the definition of a small business.
  - Commissioner Salma questioned the cost of the outreach and who would pay this price.
  - Mr. Gilmore stated that the cost would be approximately \$2,000 a month if they wanted the scope of outreach to extend to small businesses. He stated that currently the outreach to minority owned and women owned businesses has been funded by the State's Department of Commerce. He went on to say that the whole intent of coming to the meeting was to introduce the current services already available and then discuss an additional contract if there was an immediate interest in expanding the scope.
  - Commissioner Cornell asked if businesses would be able to bid globally.
  - Mr. Gilmore stated that companies could bid globally as companies like Eddie Bower use the database and they define their own scope of outreach.
  - Commissioner Cornell asked if businesses would be able to know who received the bid and could we also see when the bid was submitted on a certain item.
  - Mr. Gilmore stated that the system allows you to review all of that information.
  - Mr. Hannible stated that they were very excited for the opportunity to work with the Small Business Commission and they have been working with several groups - locally and in Sacramento - to introduce their services. He also stated that although Proposition 209 ended several great programs for small businesses, there were still some small business services available through the State.
  - Paul Pendergast asked where the group had been. He stated that the services sounded great to promote small businesses, but asked why he had not heard of them and why they did not attend events such as the Small Business Forum.
  - Rolf Mueller asked how information would be opened up to the company. He asked how private information such as names and company profiles will be opened up to the group.
  - Commissioner Najar asked what groups Globe-1 has worked with.
  - Mr. Hannible stated that they had worked with some of the Chambers like the Hispanic Chamber of Commerce.
  - Commissioner Najar replied that he was a member of the Hispanic Chamber of Commerce and that he had never heard of the group.
  - Commissioner Cornell thanked Globe-1 for the presentation and stated that staff would follow up with them in the near future.
- Action: No action taken, presentation only.

**Item 5 - PROPOSED ORDINANCE TO AMEND ARTICLE 6 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (BUSINESS AND TAX REGULATIONS CODE), BY AMENDING SECTION 6.9-2, AUTHORIZING THE TAX COLLECTOR TO WAIVE THE REQUIREMENT THAT EVERY BUSINESS FILE A TAX RETURN, WHERE THE TAXPAYER WOULD OWE LESS THAN A MINIMUM FILING AMOUNT, NOT TO EXCEED \$500, TO BE SET ANNUALLY BY THE TAX COLLECTOR.**

*[Presentation from George Putris, Tax Administrator]*

- George Putris provided a summary of the proposed ordinance and noted that, under the current law, every business is required to file a tax return. He explained that the Board of Supervisors proposed adding a sub-category of taxpayers that would be exempt from having to file a business tax return. Specifically, for those businesses who would owe less than \$500 in business taxes, such businesses would not have to file a business tax return.
- Commissioner Kaplan asked how a business would know the new amount.





- Mr. Putris stated that the new amount would be posted 30 days prior to each new year. He went on to say that this process takes these businesses out of the system and creates a win-win situation for the business and the tax collector's office.
- Commissioner Cornell stated that merchants are concerned about the tax issues in the city and the different ways the City goes about handling taxation for unique situations like visiting baseball teams. He stated that he thought the effort to address this sub-category of small businesses would be beneficial.
- Rolf Mueller stated that it would be great if this new amendment will make filing easier, but he encouraged the Tax Collector's office to attach a guideline or a rule of thumb to help merchants easily determine, based on their gross receipts, whether they would owe more than \$500 without having to do elaborate calculations.  
**Action:** Commissioner Bamba moved to support the proposed ordinance with the friendly amendment suggested. Commissioner Salma seconded. Unanimous approval from the Commission.

#### Item 6 - SMALL BUSINESS FORUM UPDATE

*[Presentation from Paul Pendergast from Pendergast and Associates]*

- Paul Pendergast stated that he was very pleased to announce that the report from the Small Business and Entrepreneurial Forum was complete. He stated that a point-by-point approval would need to be done next. He stated that a breakfast would be held on Wednesday, December 13<sup>th</sup>, to discuss the report and receive feedback.
- Daniel Hwang stated that he thought the best strategy was to set the recommendations for a two-year plan. He stated that the timeline would still need to be reviewed by other departments and by some of the Supervisors. He asked that the Commissioners review the document and get comments in before the end of the month.
- Commissioner Cornell asked if the recommendations began their deadlines from the Forum.
- Daniel Hwang stated that the deadlines began from the date of the Forum but he would like them to begin from the date the Commission adopt them.
- Rolf Mueller stated that the recommendations should all be dated and the Commission should state when the time begins.  
**Action:** No action, presentation only

#### Item 7 - PRESENTATION ON THE DISTRICT ATTORNEY'S BAD CHECK PROGRAM

*[Presentation from Glenn Baker, District Attorney's Office]*

- David Heller, from the Geary Merchant Association, stated that the issue of bad checks is a growing problem. He stated that there are programs that address this issue and those who write bad checks are subject to persecution and arrest. He stated that he came before the Commission as a merchant concerned about this problem and he recommended that the program be taken over by the District Attorney's Office.
- Terrence Hallinan, District Attorney, thanked the Commission for their effort to address this problem and in assisting with the relocation of the program from Treasure Island to Brannan Street. He recommended that they take the program in-house as it would be easier to take action if the program were run out of the District Attorney's office. He went on to say that bringing the program in-house would make the processing of claims much easier and could be expedited much more quickly.
- Commissioner Salma questioned if this program applies only to small businesses or all businesses.
- Terrence Hallinan replied that the program applies to all businesses.
- Commissioner Kaplan thanked District Attorney Hallinan for supporting this program from the beginning.
- Commissioner Bamba asked if a letter would be of assistance.
- Mr. Baker stated that a letter would be useful.

**Action:** Commissioner Kaplan moved to support the idea of moving the Bad Check Program to the District Attorney's Office. Commissioner Najar seconded. Unanimous approval from the Commission



**Item 8 - PRESIDENT'S REPORT**

- Commissioner Cornell stated that he attended a Small Business Forum in Los Angeles. He stated that he was thankful to have Paul Pendergast working with us after attending the Forum in Los Angeles. He stated that after the first of the year the City Elections will be over and things should be moving along.

**Item 9 - DIRECTOR'S REPORT**

- Daniel Hwang stated that he is still working on the office budget and job description. He stated that he would have the implementation plans for the office when the recommendations are approved.

**Item 10 - NEW BUSINESS**

- Commissioner Murphy-Reed stated that she would like a booklet made that has a listing of all of the Commissions in the City.
- Commissioner Najar stated that he had seen such a book and asked that staff locate that publication. He also stated that he would like to see time limits on the presentations and more events for the Commission. He suggested having the meetings outside of City Hall as his Merchant Association does.
- Adine Varah, City Attorney stated that that would be appropriate with proper notification and by calling it a special meeting.

**Item 11 - ADJOURNEMENT**

- Meeting was adjourned at 7:30. Moved to adjourn by Commissioner Najar. Seconded by Commissioner Kaplan. Unanimous approval by the Commission.







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# City and County of San Francisco

## SMALL BUSINESS COMMISSION



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## MEETING DATE CHANGED

Please note, the regularly scheduled meeting for January 8, 2001 has been changed. The new date will be January 10<sup>th</sup>, 2001. The room has also changed to Chamber room 408. We apologize for any inconvenience.





City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



**\*Notice of Special Meeting\***

Agenda for Wednesday, January 10<sup>th</sup>, 2001  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 408- 5:30PM  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najjar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

Director – Daniel Hwang  
Commission Secretary – Hillary Amsberry

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the December 11<sup>th</sup> 2000 Small Business Commission meeting.*

Explanatory Documents: Minutes from the December 11<sup>th</sup> meeting.

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. APPROVAL OF THE SMALL BUSINESS FORUM RECOMMENDATIONS**

Action Item

*[Presentation from the Paul Pendergast and Daniel Hwang]*

*Point-by-point approval of the Small Business Forum recommendations and report. Presentation, discussion and possible action to approve the recommendations and report.*

Explanatory Documents: Small Business Forum report (draft)

**5. RECOMMENDATION COMPLETION TIMELINE**

Action Item

*[Presentation from Daniel Hwang]*

*Presentation, discussion and possible action to approve the timeline for completing the recommendations from the Small Business Forum.*

Explanatory Documents: Small Business Forum Recommendations



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

**6. SUPERVISOR AND NEIGHBORHOOD ASSIGNMENTS**

Action Item

[Presentation from Stephen Cornell and Daniel Hwang]

*Presentation, discussion and possible action to assign each Commissioner to work with a Supervisor and neighborhood*

**7. PRESIDENT'S REPORT**

Discussion Item

*This item is to allow the President of the Commission to report on recent small business activities and make announcements. Discussion on the board resolution, file 26278, which urges the Small Business Commission to include on their web-site information on discounted employee benefits.*

**8. DIRECTOR'S REPORT**

Discussion Item

*Presentation from the Director of OSBA. This presentation shall include a report on the Office budget and job description and implementation plans for the recommendations from the Small Business Forum.*

**9. NEW BUSINESS**

Discussion Item

*This item is to allow the Commissioners to introduce new agenda items for future consideration*

**11. ADJOURNMENT**

Action Item

*Requires motion and public comment*

- \* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.
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# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

### MEETING MINUTES

Wednesday, January 10<sup>th</sup> 2001 5:30 PM  
Commissioners Chamber – Room 408

#### Small Business Commissioners

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, LLEE MURPHY-REED

Members Present: Stephen Cornell, Marivic Bamba, Gwen Kaplan  
Dick Mak, Jose Najjar, I. Lee Murphy-Reed, Yasin Salma

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#### Call to order:

##### Item 1 - ROLL CALL

- The Small Business Commission met on January 10<sup>th</sup>, 2001, in regular session. The meeting was called to order at 5:40 PM.

##### Item 2 - APPROVAL OF MINUTES FOR DECEMBER 11<sup>TH</sup>, 2000

- Stephen Cornell stated that there was an error in the minutes, the cited testimony of Glenn Baker was incorrect. He also stated that the action to item 7 did not include the action to send a letter of support to the Board of Supervisors.

Action: Commissioner Kaplan moved to approve the minutes with the two amendments.  
Commissioner Salma seconded. Unanimous approval from the Commission.

##### Item 3 - GENERAL PUBLIC COMMENT

- Scott Hauge, chair of the Bad Check Task Force, stated that the program has now moved from Treasure Island to Brannan Street. He stated that the number to contact was (415) 551-9503. He stated that Teresa Serrada will go before the Board of Supervisors for approximately \$50,000 and he urged the Commission to support this request. He asked that the Commission help with the visibility and post the information on the Commission web-site.
- Commissioner Kaplan stated that there should be a newsletter of some sort to announce items such as the Bad Check Program.
- Rolf Mueller stated that he would like to get an answer as to when the web-site would be finished.
- Daniel Hwang stated that he was meeting with DTIS and would be available next week.
- Rolf Mueller stated that he wanted follow-up with the Treasurer's Office regarding the legislation from the previous meeting.





- Commissioner Cornell read the ordinance from the San Francisco Administrative Code Section 67A.1, recently adopted by the Sunshine Ordinance which prohibits cell phones and pagers from being in use or beeping. The ordinance reads as follows:

“The ringing and use of cell phones, pagers and similar sound-producing electronic devices shall be prohibited. The presiding officer of any public meeting which is disrupted may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices. The presiding officer may allow an expelled person to return to the public meeting following an agreement by the expelled person to comply with the provisions of this Section. A warning of the provisions of this Section shall be printed on all meeting agendas, and shall be explained at the beginning of each meeting by the presiding officer.”

#### Item 4 – APPROVAL OF THE SMALL BUSINESS FORUM

*[Presentation from Paul Pendergast]*

- Paul Pendergast stated that he went through the report to be sure that all comments have been included.
- Daniel Hwang stated that he they would like to review as one large document as opposed to piece by piece and address any issues that the Commission or public may have.
- Commissioner Salma questioned what new facilities, new staff and new studies referred to in the report.
- Daniel Hwang stated that the statement encourages those types of resources to be available.
- Commissioner Murphy-Reed stated that procurement was an extremely important area that should be further identified and should cite examples. She went on to say that the Business Development group wanted a section in the Newspaper entitled small business that would act as a one-stop resource center addressing small business concerns.
- Daniel Hwang stated that the action item is to approve the document as being representative of the Forum.
- Commissioner Murphy-Reed replied that she would still like the item to be noted as she requested for fear of its importance being overlooked.
- Paul Pendergast recommended having case studies included.
- Commissioner Cornell asked if the timeline was realistic being that staff have several issues to deal with and that there are several channels to go through.
- Daniel Hwang stated that some items were unrealistic and that the timeline that he created had some windows allowing for flexibility.
- Rolf Mueller stated that it has been ninety days since the Forum and that the Small Business Commission is the laughing stock of the small business community.
- Rosalie Bulach stated that she hoped there would be a Small Business Forum yearly, but with the lack of tangible outcomes thus far, she stated that she did not know if she would attend if there were another Forum.
- Commissioner Kaplan asked what could be done immediately and that one item should be completed immediately from each group.
- Commissioner Cornell asked if people from other departments could be brought in to assist with the recommendations.
- Murphy-Reed asked if the Commission could help with this effort. She stated that she could help in any way necessary.
- Daniel Hwang stated that he would like to see one Commissioner work on one issue.
- Dick Mak asked if there was a budget to hire another person.
- Daniel Hwang stated that there was a budget, but the position would not be created until next fiscal year.
- Commissioner Cornell stated that he would like the timeline to be on an excel timeline that is available to the public before the next meeting. He went on to say that the goal is to stay within the recommended timeline of 30, 60 and 90 days.



- Commissioner Bamba stated that departmental contingencies that will slow some processes should be noted in the recommendations.
- Commissioner Cornell stated that if recommendations have contingencies, then they should be listed separately.
- Rolf Mueller stated that that approach could cause further delay. He stated that the public should know when a response could be anticipated and that there should be control by the President over the staff. He recommended that Paul Pendergast's group be used to help move things forward.
- Scott Hauge recommended that the timeline go out with the report.
- Paul Pendergast stated that the draft report has gone out to all participants, but that perhaps the timeline could be included in the report as an appendix.

**Motion on the floor:** To prepare an excel timeline of the Forum recommendations that could be available to the public and to identify separately what items are contingent upon other departments or entities.

**Action:** Moved by Commissioner Cornell, seconded by Commissioner Najar. Unanimous approval by the Commission.

#### Item 5 – SUPERVISOR AND NEIGHBORHOOD ASSIGNMENTS

- Commissioner Cornell stated that with the District elections, the Commission aims at dividing the Supervisors and neighborhoods up according to where a Commissioner lives or works. The Commissioner assignments are as follows:  
Commissioner Bamba-Supervisor Sandoval  
Commissioner Cornell – Supervisor Hall and Supervisor Peskin  
Commissioner Kaplan – Leno and Supervisor Daly  
Commissioner Mak – Supervisor Yee  
Commissioner Salma – Supervisor Newsom and Supervisor McGoldrick  
Commissioner Murphy-Reed – Supervisor Gonzales  
Commissioner Najar - Supervisor Maxwell and Supervisor Ammiano
- Scott Hauge stated that the Small Business Advocates, formed before the election, will go to meet with the Supervisors on a quarterly basis and that he would like the Commissioners to participate as well.
- Paul Pendergast asked if that would be legally permissible for Commissioners to lobby.
- Scott Hauge stated that the intent was not to lobby, rather to represent a united front and to respect the Supervisors time.
- Adine Varah stated that it she could comment later if there were any problems posed.

**Action:** Commissioner Salma moved to support the Supervisor assignments, Commissioner Najar seconded. Unanimous approval from the Commission.

#### Item 7 – PRESIDENT'S REPORT

- Commissioner Cornell stated that the resolution from Supervisor Kat's office would be coming before the Commission. He stated that the resolution - which urges the Small Business Commission to post discounted human resource services on the Small Business Commission web-page - was recently passed by the Board of Supervisors. He stated that there would be further discussion at a later date.
- Commissioner Kaplan asked what was meant by discounted employee benefits. She went on to say that it almost infers that small businesses do not provide employee benefits.
- Adine Varah stated there were groups that help set up payroll or provide health benefits and the resolution urged the Commission to post these groups' services but it was not required. She stated that the benefits themselves would not be less, but the service to set them up or service to attain them would be discounted.
- Rolf Mueller asked if it were like giving ten percent off to a certain business.
- Adine Varah stated that it would be a discount to a small business to obtain a certain service
- Scott Hauge stated that the idea was ridiculous and that eventually it could lead to selling items on the Commission web-site.

**Action:** No action, presentation only



**Item 8 – DIRECTOR'S REPORT**

- Daniel Hwang stated that he needed to discontinue the items for the director's report until the next meeting.
- Rolf Mueller stated that they have been waiting for the budgetary items for several months and that he would now go to the press about the issue.

**Action:** No action taken

**Item 9 - NEW BUSINESS**

- Commissioner Kaplan stated that she would like to begin dialogue regarding the next Small Business Forum.
- Commissioner Najar stated that he was excited about the small business community moving forward with a united front.
- Scott Hauge reported on the employer assistance medical enrollment. He stated that he would like to see the Commissioners get involved.

**Item 11 - ADJOURNEMENT**

- Meeting was adjourned at 6:40. Moved to adjourn by Commissioner Najar. Seconded by Commissioner Salma. Unanimous approval by the Commission.



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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, February 12<sup>th</sup>, 2001  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

Director – Daniel Hwang  
Commission Secretary – Hillary Amsberry

## **Agenda**

### **Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the January 10<sup>th</sup> 2001 Small Business Commission meeting.*

Explanatory Documents: Draft Minutes from the January 10<sup>th</sup> meeting.

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. REVIEW OF THE TIMELINE FOR THE IMPLEMENTATION OF THE FORUM RECOMMENDATIONS**

*[Presentation from Daniel Hwang]*

Action Item

*Presentation, discussion and possible action to approve the timeline for completing the recommendations from the Small Business Forum.*

Explanatory Documents: Implementation Timeline Draft

**5. PRESENTATION ON THE ENERGY CRISIS, THE POTENTIAL AFFECTS TO THE SMALL BUSINESS COMMUNITY, AND POSSIBLE SOLUTIONS**

Action Item

*[Presentation from Cal Broomhead, Department on the Environment]*

*Presentation, discussion and possible action to urge small businesses to implement some of the proposed solutions..*

**6. PRESENTATION ON THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS**

Action Item

*[Presentation from Daniel Hwang]*

*Presentation, discussion and possible action to approve the budget for the Commission and the Office of Small Business Affairs.*





City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

- 7. REQUEST FOR SUPPLEMENTAL SUPPORT OF \$50,000 TO THE DISTRICT ATTORNEY'S BAD CHECK PROGRAM** Action Item  
[Presentation from Scott Hauge, Chair of the Bad Check Task Force]  
*Presentation, discussion and possible action to approve the request for supplemental support of \$50,000.*
- 8. PRESIDENT'S REPORT** Discussion Item  
*This item is to allow the President of the Commission to report on recent small business activities and make announcements. This report will include status on the meetings with the Board of Supervisors and discussion on the Proposed Downtown Truck Restrictions from Department of Parking and Traffic.*
- 9. DIRECTOR'S REPORT** Discussion Item  
*Presentation from the Director of OSBA. This presentation shall include status on the Tax Collector's legislation (re: waiver of tax return filing requirements and minimum filing amount), Website for the Office and the Commission, and other updates on the Office of Small Business Affairs activity.*
- 10. NEW BUSINESS** Discussion Item  
*This item is to allow the Commissioners to introduce new agenda items for future consideration*
- 11. GENERAL PUBLIC COMMENT** Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*
- 12. ADJOURNMENT** Action Item  
*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.



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Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

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The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.



# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

*City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102*

### DRAFT MEETING MINUTES (subject to revision)

Monday, February 12<sup>th</sup> 2001 5:30 PM  
Commissioners Chamber – Room 400

#### Small Business Commissioners

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, LLEE MURPHY-REED

Members Present: Stephen Cornell, Marivic Bamba,  
Dick Mak, I. Lee Murphy-Reed, Yasin Salma  
Members Absent: Gwen Kaplan, Jose Najjar

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#### Call to order:

##### Item 1 - ROLL CALL

- The Small Business Commission met on February 12, 2001, in regular session. The meeting was called to order at 5:47 PM.

##### Item 2 - APPROVAL OF MINUTES FOR JANUARY 10<sup>TH</sup>, 2001

- Commissioner Murphy-Reed pointed out spelling errors and asked that words be inserted for clarification. She also asked for clarification of the action for item 4 on the action approved.
  - Mr. Rolf Mueller stated that the comments from Rosalie Bulach should be changed to say that she hoped there would be a Forum yearly, but with the lack of tangible outcomes thus far she didn't know if she would even attend.
- Action: Commissioner Murphy-Reed moved to approve the minutes with the amendments. Commissioner Bamba seconded. Unanimous approval from the Commission.

##### Item 3 - GENERAL PUBLIC COMMENT

- Mr. Rolf Mueller thanked the staff as he did receive all of the information prior to the meeting as he requested.
- Mr. Scott Hauge stated that he would like the Commission to look into the resolution AB 106 that provides tax deductions and/or credit to low-income employees. He stated that Supervisor Leland Yee at the next Board meeting will introduce this item and he hopes the Commission will calendar this item in the near future as well.



**Item 4 – REVIEW OF THE TIMELINE FOR IMPLEMENTATION OF THE FORUM RECOMMENDATIONS** [Presentation from Daniel Hwang]

- Mr. Daniel Hwang stated that staff had prepared a timeline with departmental contingencies. He stated that those items with a box indicate the contingencies and the other indicates those items that are solely the responsibility of the OSBA staff.
- Mr. Rolf Mueller stated that he thought the timeline would be in an Excel spreadsheet form and he asked for clarification of the completion dates for the Workforce Development Session.
- Mr. Sandy Sohco, President of the Small Business Network, asked what the process was for the participants of the Forum if they would like to be involved in the implementation.
- Mr. Daniel Hwang stated that the timeline would be on-line and available to any member of the public who would like to be involved.

**Action:** Commissioner Salma moved to adopt the timeline for implementation of the Forum recommendations. Commissioner Bamba seconded. Unanimous approval by the Commission.

**Item 5 – PRESENTATION ON THE ENERGY CRISIS, THE POTENTIAL AFFECTS TO THE SMALL BUSINESS COMMUNITY AND POSSIBLE SOLUTIONS**  
[Presentation from Cal Broomhead, Department of the Environment]

- Mr. Cal Broomhead began by stating that several small businesses will be affected by this energy crisis. In San Francisco we are looking at approximately about ½ billion dollars in gas and electricity in the commercial sector. He stated that the price of natural gas is skyrocketing and that this month's bills could increase to 9% and then 9% more in the coming months. He stated that businesses always considered energy as a fixed cost and now are experiencing stress to the revenue of their businesses as this cost is now variable. There has been talk of imposing a fine to businesses that are using too much energy after a certain time. He stated that there are many things that can be done immediately to address this issue such as setting goals of 5% energy reduction, tighten up building codes, find funding for creative programs, reviving the energy conservation programs and market energy efficient products and services. He also stated that there would be an energy faire March 10<sup>th</sup>, 2001 in City Hall from 10am-4pm. At this faire, the Department of the Environment in partnership with PG&E will be giving out 2,000 compact fluorescent lights.
- Commissioner Cornell stated that he was familiar with the Governor's decree of March 15<sup>th</sup> be the date to implement the ban of excessive lighting but he was unclear of the guidelines and wanted more specifics of what was considered too much lighting. He stated that these guidelines would be very helpful to the small business community. He asked if the Energy Faire was for consumers only. He stated that businesses have a utility tax but wondered if the money would be targeted to a specific program or if it would be going to the general fund. He also stated that fluorescent lights could not be thrown away. He stated that it is not inexpensive to recycle these bulbs and perhaps a recycling system could be set up with the extra money from the utility tax.
- Mr. Broomhead replied that the faire was open to everyone and that anyone who showed up with an incandescent bulb would receive a fluorescent bulb in exchange. He also stated that he thought that the utility tax would probably go to the general fund.
- Commissioner Murphy-Reed stated that large San Francisco based companies say they are ordering from small companies in San Francisco but in actuality they are going out of the City. She went on to say that another problem is that home-based businesses do much of their business at night and they do not have the benefits of daylight.
- Mr. Broomhead stated that it would be a one-time purchase and that PG&E is looking to work with local businesses. We are looking to get all retailers into this program so that PG&E will work with local vendors.
- Commissioner Cornell stated that he remembered a program where local vendors would do the installation and it would be 1/3 of the cost.





- Mr. Broomhead stated that PG&E needs much more public relations' attempts. If they want to meet the goal of cutting bills by 10% that would be \$50 million to households and \$250 million to businesses which is a \$300 million benefit to the local economy.
- Commissioner Cornell asked if Department of the Environment would follow up with: obtaining Supervisor support, the criteria for what are the definitions of excessive energy uses and look into the recycling programs. He stated that he would like to have information for the small business community if they will be expected to comply with the March 15<sup>th</sup> implementation date.
- Mr. Broomhead stated that they would be looking to the State to see if they will provide guidelines and definitions of what excessive energy uses are and then possibly develop a local version of those guidelines. He went on to say that the Department of the Environment has been in dialogue with Solid Waste Management regarding the recycling of fluorescent light bulbs and that he would look into the other matters and return in March.
- Mr. Scott Hauge representing the Small Business Advocates stated that they have been in contact with the Governor's office regarding the criteria for reduction of energy uses. He stated that the Governor's office is not looking to implement policy that could potentially effect public safety but they are focusing on implementation of Executive Order 19, which requires reduction of energy uses. He stated that the guidelines are still not completed but are in the process with a focus on outdoor lighting, shopping malls and outdoor dealers. He also stated that the State is putting together a web site to showcase businesses that implement energy efficient policy. This information would be posted with the Governor's office to provide information around the State on best practices. He also asked that the Commission consider joining in the State's campaign to reduce energy uses by a certain percent. He stated that this would be a joint effort between small businesses, City Government and the State.
- Mr. Ken Cleaveland, Representative from BOMA, stated that they have been involved in the energy crisis since the beginning. He stated that most offices house small businesses and they do not want the restrictions of the Governor's proposal. He stated that working at the State level to create incentives is key. Class A businesses are energy efficient at this time. He stated that his organization had a web-site with a practical list for tenants and building owners that stated ways to save energy. The web-site is [www.BOMASF.org](http://www.BOMASF.org). He also stated that with regards to recycling there were several programs such as [www.sfrecycle.org](http://www.sfrecycle.org).
- Mr. Sandy Sohco stated that she would like to see that there be education to motivate compliance as opposed to fines to punish businesses. She stated that she supported encouragement from a positive standpoint.
- Commissioner Bamba asked what type of outreach is being conducted.
- Mr. Broomhead stated that they are doing some outreach through garbage bills, various signage and public vehicles. He stated that the fine could be the incentive, but agrees that it should be positive.
- Commissioner Cornell stated that the local hardware association has put out signs and that they have received positive feedback.
- Mr. Mueller stated that the bulk of the energy crisis is due to the uses during the day, as parking lights at night do not affect the crisis. He stated that businesses would have difficulty growing if there are so many restrictions that cause a disincentive to these businesses.
- Mr. Broomhead stated that peak energy use typically during the day but recently the crisis has been 24 hours a day. By saving energy at night, we are saving the natural gas that is typically used during the night. People are switching to natural gas so the conservation of this resource is needed as well.
- Commissioner Cornell stated that in his business he doesn't use the printer until after 6 PM. He stated that he looked forward to hearing back from Mr. Broomhead on these issues and hopefully by that time we will have a better idea of what percentage small businesses should be aiming to cut back their energy usage.



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**Action:** No action, presentation only.

**Item 6 – PRESENTATION OF THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS.**

[Presentation from Daniel Hwang]

- Mr. Daniel Hwang stated that he had been working with other departments to produce this budget and that his handout provided a breakdown of the major budgetary categories.
- Commissioner Bamba questioned why the baseline went down for the 2001-2002 fiscal year.
- Mr. Daniel Hwang stated that the budget office saw that money was not being spent so the baseline went down.
- Commissioner Bamba stated that an Advisory Commission and a Fully Chartered Commission couldn't be compared. She recommended a more aggressive approach with the base line and that \$500,000 was not acceptable. She stated that the baseline should go up with each new initiative during the process of negotiation. She stated that due to the fact that we need more staff and more money the baseline should not go below the \$753,936 figure.
- Commissioner Murphy-Reed stated that one major reason we were unable to expedite the Forum recommendations was because we were unable to hire another staff person. She went on to say that we are hoping to hold another Small Business Forum in 2002 and that cost of staff needed and the small Business Forum should be factored into the budget for the next fiscal year.
- Commissioner Bamba asked if the budget was a proposed budget or an approved budget.
- Mr. Daniel Hwang stated that the 2000-2001 is approved and the 2001-2002 is proposed.
- Commissioner Bamba stated that a new budget should be prepared and that a budget committee should be formed to make these changes.
- Commissioner Murphy-Reed agreed with the recommendation.
- Commissioner Cornell asked if Commissioner Bamba and Commissioner Murphy-Reed would serve as a committee to prepare the budget.
- Commissioner Bamba and Commissioner Murphy Reed agreed to the request.
- Mr. Scott Hauge stated that he had a correction to the budget and that Juma Ventures should have been paid during last fiscal year and under last year's budget.
- Mr. Daniel Hwang stated that the contract wasn't awarded until this year.
- Mr. Scott Hauge stated that they were supposed to receive these funds last year and Juma Ventures is still having difficulty receiving these funds from the City.
- Ms. Adine Varah, Deputy City Attorney, said that it was her understanding that in the past, where money was paid to such organization, it was done through a work order to another department that had a grant program.
- Ms. Sandy Sohco asked if there were published guidelines as to what will and won't be funded. She also asked how will funding for the Forum recommendations be allocated.
- Commissioner Cornell stated that any group coming forward would be considered but there are no strict guidelines at this point. Groups can approach the Commission for funding but there is no guarantee they will receive funding.
- Commissioner Murphy-reed stated that official guidelines should be developed to establish order to the process.
- Commissioner Cornell asked if this could be a part of the budget committee.
- Commissioner Bamba and Commissioner Murphy Reed agreed to the request.
- Ms. Susan Reynolds, Grant's Coordinator for MOCD, stated that Juma Ventures would receive funding when the work was done and it was billed, and then they would be reimbursed.
- Mr. Scott Hauge stated that he thought that the \$50,000 funding allocation was for start up costs.
- Ms. Susan Reynolds also added that research should be done when a group asks for funding to see who else is funding these organizations.



- Mr. Rolf Mueller thanked staff for the timeline but asked that the processing be accelerated to finalize the budget.
- Mr. Jose Corona from Mission Economic Development Association (MEDA), stated that he had come before the Commission two times before regarding the small business programs that MEDA is offering. He stated that he would like to be on the next agenda to discuss this matter further.
- Commissioner Cornell stated that he would be sure to make that happen.
- Ms. Yvonne Eder, from the Small Business Network, stated that if she submitted a budget as the one for the Commission she would lose her job. She stated that there was no detail and she looked forward to a complete budget.
- Commissioner Cornell stated that what was received from the budget office had even less information.
- Commissioner Bamba stated that budgets vary in complexity and that a budget committee would be very helpful. She went on to say if some of the Commissioners could sit down with Daniel Hawing without it being a quorum, they could present a more comprehensive budget at the March meeting.

**Action:** No action, presentation only

**Item 7 – REQUEST FOR SUPPLEMENTAL SUPPORT OF \$50,000 TO THE DISTRICT ATTORNEY'S BAD CHECK PROGRAM** [Presentation from Scott Hauge]

- Commissioner Cornell stated that he apologized for the confusion and that the request was that the Commission sends a letter of support to the Supervisors to provide a supplemental of \$50,000.
- Mr. Scott Hauge stated that the Bad Check Program has moved to the District Attorney's Office and introduced Reggie Smith from the District Attorney's Office.
- Mr. Reggie Smith stated that it is much easier now to retrieve money from bad checks and hopes to hold an open house soon. He stated that they are still looking for supplemental support.
- Mr. Scott Hauge stated that the police said they would do nothing for checks under \$5,000 and that the bad check program is vital to the small business community.
- Commissioner Salma stated that the Commission should work with all of the small business groups to get the word out.
- Ms. Yvonne Eder, Communication Chair for the Small Business Network, stated that \$2.7 million has been collected for bad checks and if the private vendor has been fired, they should look at the money collected for the supplemental support. She went on to say that there are forms and the information and access is available but outreach might be needed.
- Mr. Scott Hauge stated that the private vendor that ran the program lost several dollars. He added that the funding is short-term to get the program up and running. He stated that the forms are on-line, but you cannot process claims on-line. He stated that [www.sbn.org](http://www.sbn.org) has more information.
- Commissioner Cornell asked if this link could be added to the Commission's web site.
- Mr. Daniel Hwang stated that it could be added within a few days.
- Mr. Reggie Smith stated that they are looking at cost very seriously and that is why they moved the program to save money.
- Ms. Sandy Sohcot stated that she encouraged the best practices by the Commissioners. She added that they should be sure they have all of the information to make a thoughtful decision before they start sending letters and supporting programs.

**Action:** Commissioner Salma moved to support the supplemental request via a letter to the Supervisors. Seconded by Commissioner Cornell. Unanimous approval by the Commission.





**Item 8 – PRESIDENTS REPORT**

- Commissioner Cornell stated that the Commission web-site is now available and that he hopes that more people will go to the web-site for information on the meeting agendas and minutes. He stated that the Department of Parking and Traffic (DPT) proposed a restriction to trucks in the downtown area and that they will be hearing from DPT shortly. He went on to say that staff had contacted DPT asking that they give a brief presentation on the proposed restriction and they declined till a later date. He stated that traffic is a problem downtown but this is the livelihood of these trucking businesses and that a compromise is necessary.
- Commissioner Cornell also reported on the status of the proposed waiver of tax return filing requirements and minimum filing amount from the Treasurer and Tax Collector's Office. He stated that with Rolf Mueller's previous comments, the Treasurer and Tax Collector's Office would send out post cards with simple language to make filing easier. He thanked Mr. Mueller for his comments.
- Commissioner Cornell stated that he will continue to meet with the Supervisors and that any member can attend as long as they are not going as a liaison to the Commission.
- Commissioner Murphy-Reed stated that accompanying groups to these meetings with the Supervisors would not be a problem as long as it did not preclude the meetings with the individual Supervisors as a Small Business Commissioner.
- Mr. Scott Hauge stated that it would be great to have the Commissioners attend with the Small Business Advocates. He handed out a schedule of meetings that were set up thus far.
- Mr. Rolf Mueller asked if they would need to re-assign the Commissioners
- Commissioner Cornell stated that it would not be necessary.
- Mr. Ken Cleaveland stated that he conducted a survey regarding truck prohibition and that the small business sector submitted comments as well. He stated that there are things that could be done that would not require prohibition of trucks such as enforcing and monitoring the truck loading zone and increasing fines for double parking. He went on to say that if there was a proposal it should be limited to rush hour only.

**Item 9 – DIRECTOR'S REPORT**

- Mr. Daniel Hwang stated that the web site for the Commission is now available and the "Getting a Business Started" is also on-line. He stated that he welcomed any suggestions or comments from the Commission or general public.

**Item 10 – NEW BUSINESS**

- Commissioner Murphy-Reed stated that she would like a directory of all of the Commissions. She also stated that she would like the Center for International Trade Development, Mr. Richard Soyombo, to be on our next agenda. She also asked that guidelines be developed for funding allocation to provide a sound basis for making a request. She stated that the City Hall Scoop might be a way to get the word out about the Commission as well.
- Commissioner Cornell stated that he would like the Director of the Office of Small Business Affairs to locate any information that was available on all of the different Commissions in the City and get that information out to all of the Small Business Commissioners and then discuss the next steps for producing the type of directory requested by Commissioner Murphy-Reed.
- Mr. Daniel Hwang stated that he has talked to the group and that they will post the info in the City Hall Scoop in the near future.
- Commissioner Bamba stated that she too supported the Center for International Trade Development as they could provide useful information to the Commission.

**Item 11 – GENERAL PUBLIC COMMENT**

- Mr. Rolf Mueller suggested that spell check be used on the agenda and that the web-site address be on the agenda as well. He also stated that the Forum reports were supposed to be double sided and they are not.



- Mr. Jose Corona stated again that he would like to be on the next agenda.
- Commissioner Cornell asked staff to follow up with Mr. Corona and calendar him for the March 12<sup>th</sup>, 2001 meeting.

**Item 12 - ADJOURNEMENT**

- Meeting was adjourned at 7:50 p.m. Moved to adjourn by Commissioner Murphy-Reed. Seconded by Commissioner Salma. Unanimous approval by the Commission.



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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, March 12<sup>th</sup>, 2001  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

Director – Daniel Hwang

Commission Secretary – Hillary Amsberry

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the February 12<sup>th</sup> 2001 Small Business Commission meeting.*

Explanatory Documents: Draft Minutes from the February 12<sup>th</sup> meeting.

**3. UPDATE ON THE BUSINESS TAX ORDINANCE**

Action Item

*[Presentation from City Attorney Louise Renne, City Treasurer Susan Leal and Ed Harrington]*

*Presentation and discussion on the proposed Business Tax Ordinance file no. 01027.*

Explanatory Documents: Proposed Ordinance File no. 01027

**4. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**5. UPDATE ON THE ENERGY CRISIS, THE POTENTIAL EFFECTS TO THE SMALL BUSINESS COMMUNITY, AND POSSIBLE SOLUTIONS**

Action Item

*[Presentation from Cal Broomhead, Department on the Environment]*

*Presentation and discussion as a follow-up from the February meeting regarding the energy crisis.*

**6. PRESENTATION ON THE PROPOSED INCREASE TO LICENSING FEES FOR FOOD ESTABLISHMENTS.**

Action Item

*[Presentation from Jack Breslin, Director of Consumer Protection Program]*

*Presentation and discussion of the proposed amendments to the San Francisco Business and Tax Regulations code by amending sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the department of public health corridor project.*

Explanatory Documents: San Francisco Department of Public Health Environmental Health Section Consumer Protection Program Proposed Fee Schedule Amendment



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

7. **UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS** Action Item  
[Presentation from Daniel Hwang, Commissioner Bamba and Commissioner Murphy-Reed]  
*Presentation, discussion and possible action to approve the revised budget prepared by the director and the Budget Committee.*
8. **NEIGHBORHOOD SMALL BUSINESS ECONOMIC DEVELOPMENT GRANT** Action Item  
*Discussion and possible action to approve a grant award to, and call for applications from, non profit organization(s) that would support neighborhood beautification and economic development of small businesses in San Francisco. This discussion may include a discussion of possible grant amounts, grant application deadlines and general criteria for selecting non-profit organization grantee(s).*
9. **PRESENTATION FROM MISSION ECONOMIC DEVELOPMENT ASSOCIATION** Discussion Item  
[Presentation from Jose Corona]  
*Presentation and discussion regarding MEDA and funding needs for the Mission Corridor Project.*  
Explanatory Documents: Mission Corridor Project Report-Community Plan for Mission Street
10. **FUNDING REQUEST FROM MOCD FOR THE BAYVIEW DEVELOPMENT CENTER ON THIRD STREET** Action Item  
[Presentation from Susan Reynolds, Mayor's Office of Community Development (MOCD)]  
*Presentation, discussion, and possible action to approve the funding request for MOCD (via work order to MOCD)*  
Explanatory Documents: Memorandum from MOCD
11. **PRESENTATION ON THE CHELSEA PIERS PROPOSAL FOR PIERS 27-31** Discussion Item  
[Presentation from Al Williams from Alfred Williams Consultancy]  
*Presentation and discussion about the Chelsea Piers proposal for development of piers 27-31.*
12. **PRESIDENT'S REPORT** Discussion Item  
*This item is to allow the President of the Commission to report on recent small business activities and make announcements. Announcement about the District Attorney Bad-Check reception.*
13. **DIRECTOR'S REPORT** Discussion Item  
*This item is to allow the Director of OSBA to report on recent small business activities and make announcements. Presentation from Richard Soyombo director of CITD.*
14. **NEW BUSINESS** Discussion Item  
*This item is to allow the Commissioners to introduce new agenda items for future consideration*
15. **GENERAL PUBLIC COMMENT** Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*
12. **ADJOURNMENT** Action Item  
*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.





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1 Dr. Carlton B. Goodlett Place  
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# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

### MEETING MINUTES

Monday, March 12<sup>th</sup> 2001 5:30 PM  
Commissioners Chamber – Room 400

#### Small Business Commissioners

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, I. LEE MURPHY-REED

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Members Present: Stephen Cornell, Marivic Bamba,  
Dick Mak, I. Lee Murphy-Reed, Gwen Kaplan, Jose Najjar  
Members Absent: Yasin Salma

#### Call to order:

##### Item 1 - ROLL CALL

- The Small Business Commission met on March 12, 2001, in regular session. The meeting was called to order at 5:40 PM.

##### Item 2 - APPROVAL OF MINUTES FOR FEBRUARY 12<sup>TH</sup>, 2001

- Commissioner Murphy-Reed pointed out two spelling errors.

Action: Commissioner Murphy-Reed moved to approve the minutes with the amendments.  
Commissioner Bamba seconded. Unanimous approval from the Commission.

##### Item 3 - UPDATE ON THE BUSINESS TAX ORDINANCE

- Commissioner Cornell stated that the item was postponed until the April meeting, but noted that the City Attorney, City Treasurer and City Controller were all present. He asked if they had any general information.
- Ms. Louise Renne, City Attorney, stated that she, the Treasurer and Controller, are happy to come back to the April 9<sup>th</sup> meeting. She noted that they would keep Small Business Commission posted and up to date on any developments regarding the Business Tax Ordinance and to help clarify and avoid possible misunderstandings.
- Ms. Susan Leal, City Treasurer stated that she was prepared to make a presentation but would be able to comment further at the next meeting. She stated that they would be discussing the elimination of the gross receipt tax, which will be going before the Board of Supervisors. She stated that there are roughly 1700 business taxpayers that pay via gross receipt.



- Commissioner Cornell asked when the item would go before the Supervisors and if he could go to the Committee hearing as well.
- Ms. Susan Leal stated that all are welcome and the more the Commission understands the issue the better.
- Commissioner Najar confirmed the date as March 21<sup>st</sup>, 2001.
- Ms. Sharon Gadberry of NAWBO, encouraged the Commission to think about more creative solutions and that the proposed change could hurt women owned businesses and their businesses expansions.

**Action:** No motion, no action taken, item postponed to April 9<sup>th</sup> hearing.

#### Item 4 – GENERAL PUBLIC COMMENT

- Mr. Scott Hauge stated that he was upset that the AB 106 item was not on the agenda. He stated that he asked that the item be on the calendar at the February meeting and that it was in error on the part of the Commission and staff.

**Action:** No motion, no action taken, public comments only.

#### Item 5 – PRESENTATION ON THE ENERGY CRISIS, THE POTENTIAL EFFECTS ON THE SMALL BUSINESS COMMUNITY AND POSSIBLE SOLUTIONS

[Presentation from Cal Broomhead, Department of the Environment]

- Mr. Cal Broomhead came before the Commission on February 12, 2001. At that time the Commission asked that he return with an update on the situation. He began by stating that some things have happened and some things have not. He stated that he looked into exceptions for commercial establishments and that no one is certain of those exceptions. He stated that he has met with Rolf Mueller, Scott Hauge, and Ken James of PG&E to discuss the energy crisis and how it affects small businesses. The first question raised was what is the definition of a small business. He stated that there are different efforts to the energy crisis for small businesses that could be applied. Developing new programs like recognition and award for energy efficient businesses is one example.
- Commissioner Cornell stated that PG&E is targeting businesses with 10 units or more, like Safeway and Albertson's. He stated that he asked that they include small businesses in this target and they said it would not be worth it to them. He stated that if small businesses are to fit into their model then PG&E should be working with the small business community as well. He stated that if and when a model was established he would like to see a method to get the information out.
- Commissioner Murphy-Reed stated that there is considerable concern about Home Depot and Walmart receiving a majority of the sales opportunities, especially since they are not even in the City.
- Mr. Scott Hauge stated that it is not clear who is responsible for outreach to small businesses. He stated that the Office of Small Business in Los Angeles has active outreach to Small Businesses. He stated that there is a bill that he will get more information on that would provide approximately one million dollars for different energy related issues. He stated that there is currently a drive to create a union between City, County and State on a Small Business Campaign for energy reduction and policy.
- Ms. Marianne Costello, Vice President of the Golden Gate Restaurant Association, stated that the utility tax goes into the general fund and could be used for outreach. She stated that those that use gas are experiencing a huge increase in their bills and wanted to know what utility taxes are being earmarked for.
- Mr. Cal Broomhead stated that the Deputy City Attorney, Rona Sandler, stated that the money goes into the general fund and any change to this direction of funds would need to be posed to the Board of Supervisor.
- Mr. Paul Pendergast stated that the Mayor's Energy Efficiency Fair was a huge success and that the Small Business Commission and Office of Small Business Affairs had representation.



- Mrs. Kathleen Harrington, President of Golden Gate Restaurant Association, stated that she would like to see an audit of the utility tax and have it broken down to see how much the City is receiving from the small business community. She stated that there is so much discussion around energy, but lack of effort on gas.
- Commissioner Najar made a motion that an audit be conducted on the utility taxes.
- Commissioner Murphy-Reed asked that this motion include an audit and investigation into all organizations involved.
- Commissioner Najar stated that he would only make a motion for the utility tax audit.

**Action:** Motion on the floor: That an audit be conducted of the Utility Taxes from the City. Seconded by Commissioner Kaplan. Unanimous approval by the Commission. Commissioner Murphy-Reed moved that the same action be taken with respect to others involved. Seconded by Commissioner Kaplan. Unanimous approval by the Commission.

**Item 6 – PRESENTATION ON THE PROPOSED INCREASE TO LICENSING FEES FOR FOOD ESTABLISHMENTS.** [Presentation from Jack Breslin of the Consumer Protection Program]

- Mr. Jack Breslin stated that the Health Inspector in San Francisco is proposing to increase the fees for inspecting food establishments. He stated that the Health Department's Consumer Protection Program teaches the programs on rules and regulations in several languages and provides documents and literature also, in several languages.
- Commissioner Cornell stated that the first page of the proposal stated an annual fee increase that would be automatically increased each year. He asked if the fee was set at a base fee or if it varied.
- Mr. Breslin stated that the time spent in large and small establishments varies, so fees are structured based on the type of establishment.
- Commissioner Cornell stated that it seems as though the large businesses are getting a break once again.
- Commissioner Murphy-Reed asked for a definition of unrecovered costs. She also asked for clarification on the proposal, which stated that there were 191,000 violations and five enforcement actions that were carried out.
- Mr. Breslin stated that unrecovered costs has to do with the time that goes into helping businesses either become compliant or with discussion on the inspectors reports. He stated that this time is not accounted for in their overall cost projections. He stated that the five enforcement actions were the closure of food establishments. Usually the inspector sends out notices and then the error changes and they are in compliance. He stated that the Health Department does not want to shut down restaurants because that means that they have failed.
- Commissioner Cornell asked if a restaurant with a bar would have two fees.
- Mr. Breslin stated that it would have one.
- Commissioner Kaplan stated that it did not make sense that the smaller the business the higher the fee. She stated that she did not understand how it would take less time and money to inspect a larger facility.
- Mr. Breslin stated that large facilities are typically run more efficiently, thus taking less time.
- Commissioner Kaplan said she did not agree, as it still did not make sense logically.
- Mr. Breslin stated that in his 30 years in the business, that has been the case. He stated that there are some small business that do not have any rules in place and their job is to enforce those rules and protect people from food poisoning potential.
- Commissioner Cornell stated that in the proposal every other County has a different fee payment scale that taxes smaller businesses smaller fees and asked why San Francisco is proposing such a different and backwards model.
- Mrs. Kathleen Harrington stated that she appreciated the Commission getting this information out to the GGRA. She stated that she and GGRA have a good relationship with Mr. Breslin but she is unhappy about the proposed fee increase. She stated that this item





- (Continued) went before the Board of Supervisors in 1997 and there should be data on what happened and what has changed since then. She also stated that she opposed the automatic fee increase especially at this time when restaurants are facing the energy and gas crisis. She asked that the Commission not support or endorse this fee increase.
- Commissioner Kaplan asked that Mrs. Harrington comment on the tables in the packet and provide some justification, if any, as to how these tables are accurate. She also asked why other areas start out with the fee being \$238 and we start out at \$600.
- Mrs. Harrington stated that she could not comment on that, as the information is somewhat new to her as well.
- Mr. Peter Glikshtern, President of the Mission Merchant Association, stated that if the Health Department aims at protecting the public, why doesn't the public bear the cost of this protection.
- Commissioner Cornell asked that the Health Department look at the fees and the fees for neighboring counties and provide a reason that San Francisco fees are so much higher.

**Action:** Motion on the floor is to have the Health Department investigate these fees with the City Attorney and provide a reasonable explanation for the higher rates to small businesses and higher rates to all businesses compared to other counties and to develop a revised fee packet if able. Seconded by Commissioner Kaplan. Unanimous approval from the Commission.

**Item 7 – UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS**  
[Presentation from Daniel Hwang, Commissioner Bamba and Commissioner Murphy-Reed]

- Mr. Daniel Hwang stated that he - along with Commissioner Bamba and Commissioner Murphy-Reed - have been working on a revised budget. He pointed out one major change as the request for more staff to accommodate the workload of the Forum requests.
- Commissioner Bamba stated that they looked directly at the goals from the Forum and assessed the hours and the staff it would take to expedite the goals.
- Commissioner Murphy-Reed stated that they are focusing on the staffing needs, as they would like to hold an annual Small Business Forum. They would also like to do more outreach to businesses that were not included and bring them onto our radar.
- Mr. Daniel Hwang stated that they still have \$350,000 left in the budget to spend in this fiscal year.
- Commissioner Cornell asked if this information could be available on the web site.
- Mr. Daniel Hwang stated that more features have been added to the web site and that could be added. He also stated that he would be back at the next meeting with the final revised budget.

**Action:** No motion, no action taken, item to be continued at the April 9<sup>th</sup> hearing.

**Item 8 – NEIGHBORHOOD SMALL BUSINESS ECONOMIC DEVELOPMENT GRANT**

- Mr. Daniel Hwang stated that after looking at the budget, they would like to create a granting process to spend some of the money left on programs during this fiscal year.
- Deputy City Attorney Adine Varah stated that the process involved in establishing a grant program was fairly simple. In order for a program to qualify as a grant, the program must satisfy the following requirements (established by consensus among the City Attorney's Office, Controller's Office, Human Resources Department and Purchasing Department in July 1997):

1. The grantee must be a nonprofit entity, which serves the public interest;
2. The grantee must be selected through a grant application and award process (and the Commission should ideally obtain a proposal and a budget from the grantee);
3. The agreement must not involve the acquisition of goods or services for the direct benefit or use of the Department or Commission; and



4. The agreement must not involve the contracting out of, or delegation of the responsibility for, any services that have at any time been performed by employees of the Department or the Commission.

- Commissioner Murphy-Reed stated that she would want to make sure that services and resources outlined in the proposal be available to everyone and that other residents are not excluded.
- Mr. Daniel Hwang stated that grants could also include a project like market research on small businesses in San Francisco.
- Commissioner Bamba stated that she does not want the Commission to become a granting agency.
- Ms. Adine Varah stated that it is at the sole discretion of the Commission to allocate a portion of funds to grant funds for community-based organizations.
- Commissioner Murphy-Reed stated that she would like to discuss revising the language of the "Neighborhood Small Business Economic Development Grant".
- Commissioner Najjar stated that he recommended that the item be tabled.
- Ms. Jane Winslow of the Mayor's Office of Neighborhood Beautification Fund stated that they give funds out to small businesses and she suggested that before creating the scope of the grants, research be done to be sure that efforts are not being duplicated.
- Mr. Daniel Hwang stated that he was in touch with Wendy Nelder, director of the Mayor's Office of Neighborhood Beautification, and would continue that dialogue.

**Action:** No motion, no action taken, item tabled till further notice.

#### **Item 9 – PRESENTATION FROM MISSION ECONOMIC DEVELOPMENT ASSOCIATION (MEDA)**

- Mr. Jose Corona of MEDA asked if he should return at a later date due to the result of the previous item which concluded that there wouldn't be any funding decided on until a later date.
- Commissioner Cornell stated that it would probably be better to give the presentation at a later date once the Commission has finalized this process rather than giving two presentations.
- Mr. Rick Jacobus of LISK stated that LISK would be happy to return to the Commission when they are ready to hear this item. He went on to say that LISK does work with organizations that reach out to the mom-and-pop stores in the City. He stated that LISK will provide matching funds if they are funded and that they are looking for City participation and that the Commission has an opportunity to be a key player.
- Commissioner Murphy-Reed stated that MEDA should not be discouraged about coming back and she thanked them for their appearance and stated that she looks forward to hearing the complete presentation.
- Commissioner Najjar stated that he agreed with Commissioner Bamba's remark that the Commission should not be a granting agency and that they should work toward partnerships.

**Action:** No motion, no action taken, item tabled till further notice.

#### **Item 10 – FUNDING REQUEST FROM MOCD FOR THE BAYVIEW DEVELOPMENT CENTER ON THIRD STREET**

- Ms. Susan Reynolds from MOCD stated that they are looking to enhance assistance to the small business community. She stated that there is a location for a Development Center on 3<sup>rd</sup> Street and Evans in the Bayview shopping center that would provide such assistance. She stated that she came before the Commission to request funds from the Commission for this project. She stated that this is a prime opportunity to deliver this to the community.
- Commissioner Cornell asked what the goals of the Development Center would be.
- Ms. Susan Reynolds stated that they want to encourage the Bayview corridor to increase job creation and encourage small business vitality as opposed to chain store take-overs that cause skyrocketing leases. She stated that there is a lot happening in that neighborhood and that



- (Continued) they want to assist the new businesses coming in to be sure they survive. She went on to say that this is a function that Urban Economic Development Corporation, a Community Development Block Grant recipient, typically conducted for the City.
- Ms. Reynolds also stated that they will not be providing this service and MOCD has taken on this task working in collaboration with several other agencies such as: The Renaissance Center, Small Business Development Center, The San Francisco Black Chamber of Commerce, etc.
- Commissioner Cornell asked if groups from outside of the City could use these services.
- Ms. Reynolds stated that they technically could, but the focus was on the immediate community and surrounding neighborhoods in the City.
- Commissioner Murphy-Reed asked if the service is free and at what point do they begin their jobs. She also inquired as to the level of training students would receive that will qualify them to start a business after completion of the "free" course, or would participants need to acquire additional "paid" Renaissance training on their own to be able to start a business.
- Ms. Reynolds stated that it is a cost-free program and that there are no specific plans assigned to any participants rather it is on a case-by-case basis. The Renaissance Center will assess what amount of technical assistance is needed for every case, but all MOCD services will be available to them.
- Commissioner Murphy-Reed stated that a lot of outreach would be needed. She stated that this was her major concern and feels that someone should be held accountable for outreach.
- Sharon Miller, director of the Renaissance Center stated that there are funds in the overall budget that include their outreach efforts. She stated that Richard Soyombo would be heavily involved in the outreach plans and efforts. She also added that the Development Center would feature joint meeting rooms, accommodations for home-based businesses, voice mail services, and reception services.
- Ms. Reynolds stated that the Bayview Merchant Association has also been contacted and they are supportive of the Development Center.
- Commissioner Bamba asked what MOCD's role was for the project.
- Ms. Reynolds stated that they are extremely involved and attached to the program. She stated that they would be accountable for the success of the Development Center.
- Commissioner Bamba asked what would happen if another agency wanted to set up a similar center. She also asked if the proposal has been selected.
- Ms. Reynolds stated that if it works, they would be happy to try and replicate the Development Center at other places. She stated that the proposal is a working document and when the doors of the center are opened, it will be a living document.
- Commissioner Bamba stated that the project seems duplicative of the role of the Commission and OSBA. She stated that they are in the process of implementing the recommendations from the Forum and she would like more time to consider this item. She stated that after budgeting the staffing needs for OSBA and budgeting the implementation costs of the Forum recommendations, there would be a more clear definition of what they can fund.
- Commissioner Najar suggested that the item be tabled.
- Paul Pendergast wondered if façade improvement money is left and could be used. He stated that there would be a lot of activity in that location due to the 3<sup>rd</sup> Street light rail project.

**Action:** No motion, no action taken, item tabled till the April Commission meeting.

#### **Item 11 – PRESENTATION ON THE CHELSEA PIERS PROPOSAL FOR PIERS 27-31**

[Presentation from Al Williams from Alfred Williams Consultancy]

- Mr. Jack Bair, Vice President of the Giants, stated that he has been working with Alfred Williams Consultancy and would be giving the presentation on the Chelsea Piers Proposal. He stated that Proposition H passed to develop a new waterfront. That process took seven years and they decided that the piers 27-31 will be developed to meet the civic needs of San Francisco and create open space. He stated that there are two proposals on the floor, one for



- (Continued) the Chelsea Piers Project and one that is from a joint venture with Mills and YMCA. The Port Commission will decide on which will be developed. He referred the Commission to the booklets that show sketches of their design plan. Mr. Bair also stated that this project is meant to serve the City's recreation needs that do not exist. He stated that the piers are very long and that pier 27 alone is longer than the Pac Bell Park. He stated that the intent of the development was to have batting cages, a gymnastic arena, an athletic club, a diving facility, pools and aquatic space, an ice skating rink, an extreme park, a 40 lane bowling alley, an event center and open space around the facility. He went on to say that there would be an opportunity for small businesses, job training and employment. He stated that the competing proposal has a recreation component but at ¼ the size as it provides mostly retail and office space.
- Commissioner Cornell asked how many parking spaces would be available.
- Mr. Bair replied that there would be 350 spaces versus the 170 posed by the competitor. He stated that New York has 350 spaces and the facility in New York is significantly larger.
- Commissioner Murphy-Reed asked if there would be training for the sports provided and how affordable would it be to use the facility.
- Mr. Bair stated that prices would be comparable to a movie. He stated that there would be scholarships available to children who had outstanding talent.
- Commissioner Najar stated that it was an excellent presentation and that he had visited the Chelsea Piers in New York and has wanted to have something like that here for his niece to enjoy.
- Commissioner Bamba stated that she was familiar with the Giants' success and asked if this program would provide the same opportunity to small businesses.
- Mr. Bair stated that there would definitely be those opportunities.
- Mr. Daniel Hwang asked if there were a process by which the small business community can be aware of the bidding phase for the 10% commercial space.
- Mr. Bair stated that there would be negotiation around those issues.
- Commissioner Kaplan stated that she and her husband were at Chelsea Piers last summer and they felt that San Francisco needed a facility like it.
- Commissioner Cornell asked how the Chelsea Piers plan will fit into the Department of Recreation and Park's (Rec. and Park) planning. He also asked if Rec. and Park would be willing to assist with funding.
- Mr. Bair stated that Rec. and Park is excited about the plan and there is conversation about a cohesive plan. He stated that in New York there are synergies with the School Department and that might be an option but there is no concrete plan for that at this time.
- Alex Clemmings stated that he was thrilled to see that the Commission is taking interest in the largest donation of square footage and development of piers 27-31. He stated that he has teamed up with YMCA and created the competing plan for development that they feel is more in-line with what the people want. He stated that they have received 2,000 pieces of correspondence demanding that this new facility be affordable to all residents of the City. He stated that he was upset that his group was not invited to give a presentation on their development plans. He stated that the Port will meet and make a final decision before the next Commission meeting so at they would not be able to make a presentation for support.
- Mr. Bair stated that the Port decision will be delayed and that there was still time to make a presentation. He went on to say that at the last public meeting the Port staff had indicated that the final decision would not be made until the end of April.
- Commissioner Cornell thanked Mr. Bair for his presentation and stated that the presentation from Mills-YMCA would be scheduled at the April Commission meeting.

**Action:** No action taken, presentation only.





**Item 12 - PRESIDENT'S REPORT**

- Commissioner Cornell stated that he was at the Mayor's Energy Fair on Saturday March 10<sup>th</sup>, but noted that it was very hard for most small businesses to make it out because it was on a Saturday. He stated that two thousand bulbs went out in an hour and a half. He stated that he was pleased that the Mayor's Office of Neighborhood Services made efforts to include small businesses and outreached to the Small Business Network and Small Business Advocates.
- He stated that there would be a reception next month in which the Commission is co-sponsoring regarding the Bad Check Program.
- He stated that AB 106 – the earned income tax credit – has been looked into and supported by the Commission in the past and that although they did not calendar this item on the agenda, he will still send a letter of support to the legislature.
- He stated that he has been meeting with members of the Board of Supervisors such as Newsom, Daly, Maxwell, and Gonzales. He stated that fellow Commissioners have joined him and all Supervisors have expressed their enthusiasm in working with the Commission.
- He stated that there had been a problem in the past with Supervisors not sending pertinent legislation to the Commission. He stated that Supervisor Daly has introduced a mandate that would put the responsibility on the Clerk of the Board to send this type of legislation.
- Mr. Scott Hauge stated that the Small Business Advocates set up most of the meetings and he would like the message to be clear that the Small Business Advocates has been the driving force. He also stated that Supervisor Leno has requested that the Commission present an update on the Forum.

**Item 13 - DIRECTOR'S REPORT**

- Mr. Daniel Hwang stated that Richard Soyombo was going to give a presentation as a follow-up to the Forum.
- Mr. Richard Soyombo of Center for International Trade Development began his presentation by stating that his organization provides international trade development to small and medium sized businesses. There are no membership dues and that several people in City Hall are familiar with his services and he works regularly with the Mayor's Office of Trade and Commerce. He has been in the business for over 19 years helping customers overcome obstacles that small businesses typically face. He will be taking five small businesses to a trade mission in Mexico and wants to expand this service to San Francisco. He stated that there is potential for 25 businesses to generate 80 million dollars in 18 months. He has a high level of expertise within the company. In addition, outside firms such as Morrison and Foerster offer their services to support this effort. He hopes to focus on women and minority owned businesses. He has provided 920 hours of service in one year to 240 individuals and companies with the focus being strategic relations for global diversity. He stated that he came before the Commission to address the issue raised at the Forum regarding how small businesses can increase or create international trade. He stated that this activity provides more return on your investment and has a major economic impact, more jobs globally and more of a community impact.
- Commissioner Cornell thanked Mr. Soyombo for his presentation and asked that he return when he had another mission the Commission could participate in.
- Mr. Soyombo agreed and stated that he would like to familiarize the Commission beforehand so that they might be able to give suggestions and be included where applicable.

**Item 14 - NEW BUSINESS**

- There was no new business introduced at the March meeting.



**Item 15 - GENERAL PUBLIC COMMENT**

- Daniel Hwang stated that Commission Secretary Hillary Amsberry will be leaving the position shortly and noted Martha Yanez, who is a candidate for the position, was in the audience.

**Item 16 - ADJOURNEMENT**

- Meeting was adjourned at 8:45 PM. Moved to adjourn by Commissioner Murphy-Reed. Seconded by Commissioner Kaplan. Unanimous approval by the Commission.



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**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, April 9<sup>th</sup>, 2001  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najara – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee Murphy-Reed*

Director – Daniel Hwang  
Commission Secretary – Hillary Amsberry

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation of, discussion of and possible action to approve the minutes for the March 12<sup>th</sup> 2001 Small Business Commission meeting.*

Explanatory Documents: Draft Minutes from the March 12<sup>th</sup> meeting.

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**4. PRESENTATION ON PROPOSED ORDINANCE (File No. 002218) WHICH WOULD CLARIFY WHICH PART OF SOMA COULD HAVE ADVERTISEMENT SIGNAGE. PRESENTATION ON PROPOSED ORDINANCE (File No. 001391) THAT INCREASES THE PENALTY FOR VIOLATION OF ADVERTISING RULES. PRESENTATION ON PROPOSED ORDINANCE (File No. 002196) WHICH STATES THE REQUIREMENTS FOR GENERAL ADVERTISEMENTS.**

Action Item

[Presentation from the Office of Supervisor Leno]

*Presentation and discussion and possible action to support the proposed signage and advertising ordinances.*

Explanatory Documents: Proposed Signage and Advertising Ordinances File No: 002218, 001391, 002196

**5. PROPOSED ORDINANCE AMENDING THE POLICE CODE AND BUSINESS AND TAX REGULATION CODE TO REQUIRE PARKING STATIONS TO HAVE REVENUE CONTROL EQUIPMENT, TO PROVIDE RECEIPTS TO REPORT NON-FUNCTIONING EQUIPMENT, AND TO HAVE SIGNAGE AND TO PROVIDE FOR REVOCATION OF CERTIFICATES OF AUTHORITY TO COLLECT THIRD-PARTY TAXES FOR FAILURE TO COMPLY WITH THESE PROVISIONS.**

Action Item

[Presentation from the Office of Supervisor Leno]

*Presentation and discussion and possible action to support the proposed ordinance.*

Explanatory Documents: Proposed Ordinance and press release



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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6. **UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS** Action Item  
[Presentation from Daniel Hwang, Commissioner Bamba and Commissioner Murphy-Reed]  
*Presentation, discussion and possible action to approve the revised budget prepared by the director and the Budget Committee.*
7. **REQUEST FOR FUNDING FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM TO BE ADMINISTERED AT THE DEPARTMENT OF CHILDREN, YOUTH AND THEIR FAMILIES.** Action Item  
[Presentation from the Office of Supervisor Mark Leno and Department of Children Youth and their Families]  
*Presentation, discussion, and possible approval of motion to authorize the Director of the Office of Small Business Affairs to enter into a \$200,000 work order agreement under which the Department of Children, Youth and their Families would administer the Summer Jobs for Youth Program with Youth Works.*
8. **FUNDING REQUEST FROM MOCD FOR THE BAYVIEW DEVELOPMENT CENTER ON THIRD STREET** Action Item  
[Presentation from Susan Reynolds, Mayor's Office of Community Development (MOCD)]  
*Presentation, discussion, and possible action to approve the funding request for MOCD (via work order to MOCD)*  
Explanatory Documents: Memorandum from MOCD
9. **UPDATE ON THE PROPOSED INCREASE TO LICENSING FEES FOR FOOD ESTABLISHMENTS.** Action Item  
[Presentation from Jack Breslin, Director of Consumer Protection Program]  
*Presentation, discussion and possible action to approve a revised version of a proposed amended fee schedule relating to fees for licenses or permits for inspections by the Department of Public Health corridor project.*  
Explanatory Documents: Revised version of the Proposed Fee Schedule Amendment
10. **PG & E THIRD PARTY INITIATIVE** Action Item  
[Presentation from Scott Hauge, Small Business Advocates]  
*Presentation, discussion, and possible action to approve a letter of support to PG&E for outreach to small businesses in San Francisco regarding energy conservation.*
11. **OSBA REQUEST OF THE COMMISSION TO SOLICIT A REQUEST FOR PROPOSAL FOR A SMALL BUSINESS MARKET RESEARCH STUDY.** Action Item  
[Presentation from Daniel Hwang, Director Office of Small Business Affairs]  
*Presentation, discussion, and possible action to approve the request*
12. **OSBA REQUEST OF THE COMMISSION'S APPROVAL TO SOLICIT/REQUEST FOR PROPOSAL FOR A WEBMASTER FOR THE OSBA AND SBC WEBSITE.** Action Item  
[Presentation from Daniel Hwang, Director Office of Small Business Affairs]  
*Presentation, discussion, and possible action to approve the request*
13. **PRESIDENT'S REPORT** Discussion Item  
*This item is to allow the President of the Commission to report on recent small business activities and make announcements.*
14. **DIRECTOR'S REPORT** Discussion Item  
*This item is to allow the Director of OSBA to report on recent small business activities and make announcements. Introduction of the new secretary to the Commission.*
15. **NEW BUSINESS** Discussion Item  
*This item is to allow the Commissioners to introduce new agenda items for future consideration*
16. **GENERAL PUBLIC COMMENT** Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future Consideration*





## 17. ADJOURNMENT

*Requires motion and public comment*

Action Item

- \* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item
- \*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Hillary Amsberry (415) 554-6134 to make arrangements for pick up or review.

## KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: Donna\_Hall@ci.sf.ca.us

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us)

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.





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## City and County of San Francisco Small Business Commission



April 09, 2001

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

*City Hall*

*1 Dr. Carlton B. Goodlett Place*

*San Francisco, CA 94102*

### MEETING MINUTES

**Monday April 9<sup>th</sup>, 2001 5:30 PM**

**Commissioners Chamber - Room 400**

**Small Business Commissioners**

**STEPHEN CORNELL - PRESIDENT**

**JOSE NAJAR - VICE PRESIDENT**

**MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,**

**YASIN SALMA, LLEE MURPHY-REED**

**Director - Daniel Hwang**

Commission Secretary - Martha Yanez

**Members Present:** Stephen Cornell, Yasin Salma,

I. Lee Murphy-Reed, Jose Najar

**Members Absent:** Maravic Bamba, Dick Mak, Gwen Kaplan

**Call to order:**

**Item 1 - ROLL CALL**

The Small Business Commission met on April 9, 2001, in regular session. The meeting was called to order at 5:37 PM. Commissioners Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, and Jose Najar were present.

**Item 2 - APPROVAL OF MINUTES FOR FEBRUARY 12<sup>TH</sup>, 2001**

Commissioner Murphy-Reed pointed out some typographical corrections and clarified that she had made a statement rather than Commissioner Bamba as noted on the minutes.

**Action:** Commissioner Murphy-Reed moved to approve the minutes with the amendments. Commissioner Salma seconded. Unanimous approval from the Commission.

**Item 3 - GENERAL PUBLIC COMMENT**

Mr. Scott Hauge stated that he wished to remind the Commissioners and the audience about the bad check reception program. He also stated that he had not heard from all of the Commissioners and asked that they respond back and hope that the Commissioners promote this program which takes place April 24<sup>th</sup> from 5:30 PM to 7:30 PM at 732 Brannan Street.

Ms. Bonnie Carroll stated that she would like to add an agenda item for the next meeting: a request for funding of \$50,000 for Working Solutions.

**Action:** No motion, no action taken, public comments only.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

**Item 4 - PRESENTATION ON PROPOSED ORDINANCE (File No. 002218) WHICH WOULD CALRIFY WHICH PART OF SOMA COULD HAVE ADVERTISEMENT SIGNAGE. PRESENTATION ON PROPOSED ORDINANCE (File No. 001391) THAT INCREASES THE PENALTY FOR VIOLATION OF ADVERTISING RULES. PRESENTATION ON PROPOSED ORDINANCE (File No. 002196) WHICH STATES THE REQUIREMENTS FOR GENERAL ADVERTISEMENTS.**

[Presentation from Bob Hartnagel, Office of Supervisor Leno]

Mr. Bob Hartnagel came before the Commission to speak on three different items. The items are, General Advertising Legislation, Parking Receipts and Revenue Control Equipment Legislation, and Request for funding for the Summer Youth Employment Program. The first

item was the General Advertising Legislation, which he stated actually consists of three different pieces of legislation that will work together to minimize and control urban blight. He stated that such urban blight is being caused by out of scale and out of character billboards going up across the city, on the sides of buildings, and in areas not permitted. He attributed this in part to the dot-com boom but continuing to present day. He also stated that although such advertisement may be creating additional income for the building owner and others involved, it is at the expense of the visual beauty of the city. He further stated that his office's legislation is designed to address this issue by increasing the penalties for violations of general advertising laws, using these fees to fund better enforcement and requiring all billboards to bear the name of the company, the permit number, and permitted sign dimensions. He stated that his office has been working close with other offices and organizations to craft these proposals. He then introduced Paul Lord from the Planning Department to further discuss this issue.

· Mr. Paul Lord from the Planning Department came before the Commission and stated that none of the legislation deals with a business sign, it all deals with general advertising sign, generally billboard signs advertising goods and products not sold on that site. He stated that there are three pieces of legislation that have made it through the Planning Commission and are now going before the Board of Supervisors. He stated that there will be a follow up meeting on April 19<sup>th</sup> with some sign companies to create some of this legislation prior to going before the Finance Committee on April 25<sup>th</sup> at which point all three pieces of legislation will be part of that agenda. Mr. Lord proceeded to discuss the three pieces of legislation. The first piece of legislation deals with the South of Market billboards. He stated that this piece of legislation was initiated by the Planning Department not Supervisor Leno's office, and that it was seen as an effort to clean up the code, not to change the code. The second piece of legislation was sponsored by Supervisor Leno's office. He stated that the intent of this piece of legislation was to increase existing fines for illegal signs in San Francisco. He also stated that there was not much follow through by the Building Department once a sign permit was issued, and said that many times the requirements were not clearly communicated to the applicant. The third piece of legislation states that there be a tag on the sign that would be clearly visible from the street. He stated that the tag would identify the sign company by having their name on the sign as well as the permit number identifying it as a legal sign and finally the dimensions of the permitted sign. He stated that these three pieces of legislation would not affect business signs in any way.

· Commissioner Salma asked about the height requirement from the sidewalk, referring to File No. 002196. He stated that the height of the sign from the sidewalk is just as important and should be included in the information on the tag.

· Mr. Paul Lord stated that this issue is certainly something that could be brought up at the April 19<sup>th</sup> meeting with the sign companies and possibly added as an amendment.

· Commissioner Salma asked about the enforcement process for illegal signs. He stated that the San Francisco code clearly states that no sign can go above 25 feet from the sidewalk, yet there are 20 signs on Lombard and Union Street that have permits but clearly exceed the

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

· (Continued) height restriction. So the question is how do you fine someone when the sign has been permitted.

· Mr. Paul Lord stated that there are actions that can be taken if someone violates the terms of their permit. He stated that there is an ongoing list of such signs and the matter is being investigated.

· Commissioner Salma reiterated that the height of the sign should also be included in the information listed on the tag.

· Mr. Paul Lord agrees that the height information is important and he stated that he would try to discuss the matter at the April 25<sup>th</sup> meeting with the Finance Committee.

· Commissioner Cornell asked if sign companies from outside San Francisco doing business in the city also pay the San Francisco business tax.

· Mr. Paul Lord stated that he did not know the answer to this question

· Commissioner Cornell asked if this was something that he could bring back to the Commission.

· Commissioner Murphy-Reed stated that some areas of the city had been addressed already, but asked how it is decided which areas are addressed.

· Mr. Paul Lord stated that the South of Market area as well as Lombard Street was addressed through the community planning efforts in those areas. He stated that certain areas of the city already prohibit general advertising. These areas would be addressed if illegal signs were found to be present there. He stated that this would be an ongoing issue as the Planning Department continues to work with the communities of San Francisco.

· Commissioner Murphy-Reed asked if violators are given an opportunity to rectify the violation, or is there a grace period to correct the problem.

· Mr. Paul Lord stated that there is due process. He stated that a letter is sent to the sign company informing them of the violation and how to rectify it.

· Commissioner Cornell asked if the department would react to a complaint from an anonymous person.

· Mr. Paul Lord stated that enforcement process is a combined effort, often relying on a diligent and conscious community. He also stated that building inspectors are out on the field conducting both routine inspections as well as inspections due to complaints.

· Commissioner Cornell stated that around Polk Street there are signs painted on buildings from years past. He mentioned advertisements for cigars and political signs. He asked how something such as this is dealt with.

· Mr. Paul Lord stated that political signs fall into a different category because they do not advertise a good or service that is available for purchase. In regards to the old cigar advertisements, he stated that you have to look carefully at old advertisements because they may be considered a historical element of the city and enforcement in this case may differ. He stated that it would have to be decided if removal of such advertisements would be an option. He stated that some issues deserve more attention, and enforcement efforts should focus on those issues due to limited resources.

· Commissioner Cornell asked if the enforcement effort consist of the four people in his enforcement department.

· Mr. Paul Lord answered yes, and added that Building Inspectors and groups like San Francisco Beautiful will facilitate this effort.

· Commissioner Murphy-Reed requested that urgency be given to the removal of election signs, and a possible fine be levied on the institution or individuals that post the signs.

· Mr. Paul Lord stated that he does believe that this issue is addressed in a code, possibly the elections code and that there are fines levied. He stated that this matter is not addressed in the Planning code.

- Commissioner Murphy-Reed asked for a contact name regarding this matter.
- Mr. Paul Lord suggested contacting the Elections Department.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

**Action:** Commissioner Salma made a motion to support the proposed signage ordinances.  
Commissioner Najar made a motion to second it. Unanimous approval from the Commission.

**Item 5 - PROPOSED ORDINANCE AMENDING THE POLICE CODE AND BUSINESS AND TAX REGULATION CODE TO REQUIRE PARKING STATIONS TO HAVE REVENUE CONTROL EQUIPMENT, TO PROVIDE RECEIPTS TO REPORT NON-FUNCTIONING EQUIPMENT, AND TO HAVE SIGNAGE AND TO PROVIDE FOR REVOCATION OF CERTIFICATES OF AUTHORITY TO COLLECT THIRD-PARTY TAXES FOR FAILURE TO COMPLY WITH THESE PROVISIONS.** [Presentation from Office of Supervisor Leno]

- Mr. Bob Hartnagel came before the Commission to present his offices proposed ordinance, which would recover the city's parking lot tax revenue. He stated that he brought people to further discuss and explain the legislation.
- Ms. Laurel Pauly, investigator in consumer fraud with the DA's office stated that people should be able to get proof that they have paid to park. She stated that her office has seen an increase in consumer complaints regarding parking lots, including having been towed after paying for a slot. She stated that not only is the city not getting revenue that it should, and consumers are not getting what they pay for. She stated that her office will prosecute the lot operators how do not install the equipment and those who do not maintain it.
- Commissioner Najar asked if Portland is not mandated to do the same.
- Ms. Julie DeGregorio stated that they are required to have receipts but not revenue tracking equipment because there is no component in Portland for city tax.
- Commissioner Najar stated that he was lucky to not have had his car towed in one incident. He asked if there was an increase in revenue in Portland when they implemented this there.
- Ms. Julie DeGregorio stated that no one really knows how much more revenue the city will get from this ordinance, but the estimates are at least 15 million to 25 million or more.
- Commissioner Cornell stated that he liked the idea but had a question as to what happens if you own a gas station and you allow people to park there would the gas station be required to participate in this ordinance. And what happens in the case of valet parking.
- Ms. Margaret Baumgartner is Deputy City Attorney who assisted in drafting the legislation. She stated that a gas station is not a permitted parking lot and would already be operating under the table. She stated that if the gas station has a permit to operate a parking lot then it would be required to have the equipment. In respect to valet parking, she stated that according to the police code they are supposed to park the cars in a lot, therefore they should be able to get a receipt.
- Commissioner Cornell stated that the customer wouldn't get the receipt.
- Ms. Margaret Baumgartner stated that the receipt would be given when you pay.
- Commissioner Cornell asked if they have to park the cars in a legal parking lot.



: Ms. Margaret Baumgartner stated that as part of their permit they have to indicate to the police department that they have a parking lot with a number of set aside spots.

: Commissioner Cornell stated that schools rent out their lots as part of a contract.

: Ms. Margaret Baumgartner stated that she is aware of this and said that there is an exemption in the ordinance for lots operated by the school district.

: Commissioner Cornell asks why.

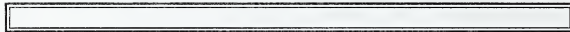
: Ms. Margaret Baumgartner stated that schools are not in the business of operating parking lots generally speaking, they only open up when it is needed.

: Commissioner Salma stated that under some circumstances there are contracts between schools and individuals to operate the parking lot as such.

: Ms. Margaret Baumgartner stated that if the school district operates the lot they are not required to install equipment, but if someone other than the school operates the lot they are required to install the equipment.

: Commissioner Cornell stated that to his understanding this ordinance was drafted for two reasons, those being, to protect the consumer, and to recover revenue for the city.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*



: Ms. Margaret Baumgartner stated that Commissioner Cornell was correct but pointed out that it was initiated as a service to the consumer by the Consumer Fraud Department.

: Commissioner Cornell stated that there are tax exempt groups such as banks, and in this case the 25 cents would not be collected from such parking lots.

: Ms. Margaret Baumgartner stated that the way this ordinance was drafted was to apply only to those lots that fall under the definitions in the business and tax regulation code for parking stations that are taxed.

: Commissioner Cornell stated that he knows someone who contracts to park his one car, and he has to fill out a form to get a 25% discount from the parking operator.

: Ms. Margaret Baumgartner stated that the parking operator needs to note that so that it can be audited properly. She stated that if there is a parking lot where only the people who don't pay the tax park, then it probably doesn't fit into the definition of parking station that was adopted from the Business and Tax Regulation Code.

: Commissioner Cornell asked about tax exempt spaces.

: Ms. Margaret Baumgartner stated that because there are tax exempt spaces does not mean that the whole lot is tax exempt.

: Commissioner Cornell stated that this was not an action item due to the fact that it has already gone before the Board of Supervisors and passed. He thanked the Office of Supervisor Leno for coming before the Small Business Commission after the fact.

**Action:** No action taken, presentation only. There was no public comment on this item.



**Item 6 - UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS.** [Presentation from Daniel Hwang, Commissioner Murphy-Reed]

- Mr. Daniel Hwang stated that he, along with Commissioner Murphy-Reed and Commissioner Bamba been working on a revised budget. He stated that the budget has been broken down into various categories. He asks if there are any questions and states that he is willing to address them.
- Commissioner Najar asked about the printing cost and questions the increase in costs.
- Mr. Daniel Hwang stated that the current stationary is printed from a regular printer and said that he would like to have quality stationary with the city logo on it. He stated that there is also a directory that he wants to create. It would list all the different commissions, their numbers and what they do.
- Commissioner Najar stated that he has seen a directory that lists this type of information.
- Commissioner Murphy-Reed stated that she has reviewed the document sited and said that it does not address the needs of the Commission, or what she envisions.
- Commissioner Najar states that it is not a document but rather an actual manual or book.
- Commissioner Murphy-Reed stated she has seen what he is referring to and she does not believe that it fulfills the expectations.
- Mr. Daniel Hwang stated that next years projections are estimated on the high end to assure adequate funding
- Commissioner Cornell asked if this handbook would be available to all the commissions.
- Commissioner Murphy-Reed/Mr. Daniel Hwang confirmed this and added that it would also be available to small business owners.
- Mr. Rolf Muller, a member of the public, stated that this budget is another disgusting budget. He questioned the salaries and stated that he has called many times and there is no answer and the machine was not accepting any more messages.
- Commissioner Salma questioned Mr. Daniel Hwang about this matter.
- Mr. Daniel Hwang stated that there was a problem last week due to the transitioning of the new commission secretary.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

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- Commissioner Najar commented that he too had called and come into the office and no one was present to greet him or answer his calls. He stated that it is a frustrating matter.
  - Mr. Daniel Hwang stated that he apologized for the inconvenience and stated that the matter is being addressed.
  - Commissioner Najar asked how the matter was being addressed.

· Mr. Daniel Hwang stated that he is requesting three full time positions, and stated that the transition has taken effect so he hopes that things will be in order from now on.

· Commissioner Salma stated that someone should be at the reception desk at all times. He said that responsibilities should not be shared.

· Mr. Daniel Hwang stated that the previous Commission Secretary position was a temporary half time position, and that the new Commission Secretary was being brought in as full time to OSBA.

· Commissioner Salma asked if Martha would be at OSBA full time.

· Mr. Daniel Hwang confirmed this question, yes.

· Commissioner Najar asked if he could call tomorrow.

· Commissioner Murphy-Reed stated that the Commission Secretary is new and she should be given a chance.

· Commissioner Cornell stated that as of that day you can call anytime, he tried.

· Mr. Scott Hauge, a member of the public and representative of the Small Business Advocates, questioned whether this budget is the most effective use of the taxpayers dollar.

· Commissioner Cornell asked if the Commission would like to vote on the budget.

· Commissioner Murphy-Reed stated that she would.

· Commissioner Najar stated that he would like to hold off until all Commissioners have had a chance to review the budget.

· Commissioner Cornell asked the Director if there would be time for another meeting before the matter goes before the Board of Supervisors.

· Mr. Daniel Hwang stated that a special meeting would be necessary.

· Commissioner Cornell asked the Director for a time frame for the special meeting.

· Mr. Daniel Hwang stated that he would like to present the budget to the Department of Business Development by the end of the week. He stated that it would be difficult, but if there were contingencies then possibly amendments could be made thereafter.

· Commissioner Najar stated that he is concerned due to the fact that it is taxpayer money as well as the absence of the other three commissioners.

· Mr. Daniel Hwang stated that Commissioner Bamba is on the budget committee.

· Commissioner Murphy-Reed stated that she believed that Mr. Hauge did not intend the commission not to have a budget, but rather to caution the commission on how it decides to spend the money. She stated that the commission has promised the public that their concerns would be addressed, and in not moving forward with the budget this will only be delayed. She stated that all the commissioners had an opportunity to be there and she hopes that this fact is considered.

· Commissioner Najar stated that his mind was made up before Mr. Hauge spoke.

· Commissioner Murphy-Reed stated that it would not be fair to postpone the budget because it would not be fair to the people they have committed to serve.

· Commissioner Najar asked if there is any feedback from the commissioners that are absent.

· Commissioner Cornell stated that Commissioner Kaplan had a personal event to attend. He asked for a revote.

**Action:** Commissioner Murphy-Reed moved to approve the budget. The motion did not carry and no action was taken.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*



**Item 7 - REQUEST FOR FUNDING FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM TO BE ADMINISTERED AT THE DEPARTMENT OF CHILDREN, YOUTH AND THEIR FAMILIES.** [Presentation from the Office of Supervisor Mark Leno and Department of Children, Youth and their Families]

· Mr. Bob Hartnagel came before the Commission on behalf of Supervisor Leno's Office to thank the Commission for their generosity in donating \$200,000 last year to the Summer Youth Employment Program. He stated that he is back to request the funding this year as well.

· Ms. Nani Corelletti is the Director of Budget and Planning at the Department of Children, Youth and their Families. She thanked the Commission for their support last year. She stated that the shortfall equals \$1.2 million and 1,100 jobs. She stated that similar to last year they are receiving half a million dollars from her department (the Children's Fund) as well as from AB 1913 which is a one time Federal fund of \$268,000. She stated that this still leave a shortfall of about \$400,000 and said that our funding would help close that gap.

· Commissioner Cornell asked what types of jobs are available to the youth if the funding is granted.

· Ms. Nani Corelletti stated that the jobs are at community based organizations, but mentioned that they have asked their CBO to leverage other funding which would create private sector jobs. She stated that this summer there will be both public and private jobs.

· Commissioner Cornell asks if the private sector jobs are subsidized.

· Ms. Nani Corelletti stated that yes, the private sector part of the program is subsidized. She stated that the public sector money is used for non-profit and public internship, and that the wages and youth employment and training are subsidized.

· Commissioner Cornell asked about the wages. What kind of wages do the youth receive.

· Ms. Nani Corelletti stated that the youth receive minimum wage. She stated that they do not qualify under the living wage statue, which states that you must be 18.

· Commissioner Murphy-Reed asked how the employer is selected.

· Ms. Nani Corelletti stated that her department and the contracted CBO are leveraging 12 agencies throughout the city.

· Commissioner Murphy-Reed asked how one could apply to become one of those agencies.

· Ms. Nani Corelleti stated that the contractor has been selected for this summer, but stated that in the future everyone is invited to bid and postings are made. She encouraged collaboration.

· Commissioner Murphy-Reed asked if this is advertised and if there is a limit to the number of agencies selected.

· Ms. Nani Corelleti confirmed that yes there is advertising and stated that there is one organization with 11 agencies in their collaboration. She stated that this is what they look for in their proposal.

· Commissioner Murphy-Reed stated that the request is for \$200,000, and she asked if there is equal opportunity to participate in this process both as a job placement and as the lead agency.

· Ms. Nani Corelleti stated that there is equal opportunity on both counts. She stated that the contract has already been granted this year and said that they would never put together a program that did not have equal opportunity for recruitment and hiring.

· Commissioner Murphy-Reed stated that she is still not convinced but will move on and asked if they would consider less money.

· Ms. Nani Corelleti stated that any amount would be considered.

· Commissioner Salma asked if there is equal opportunity for the employer.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*



· Ms. Nani Corelleti stated that she would let members of the CBO's describe the program.

· Mr. Mauricio Vela is the Executive Director of the Bernal Height Neighborhood center. He stated that they are a collaborative of 12 organizations serving communities throughout the

· (Continued) city. He stated that he himself was in a summer youth program and he feels that such a program is needed.

· Mr. Darren Auing is Executive Director of Community Educational Services. He stated that students are placed to work in non-profits throughout the city, as well as in city and government agencies. He stated that they do work with private sector but they don't directly subsidize jobs for youth to work with the private sector, but they help youth find jobs in the private sector.

· Ms. Leticia McKay is a student and an employee for the Youth Employment Program. She stated that this program is good training for the future. She stated that she has benefited from such a program.

· Ms. Linda Rosa is a high school student in the program. She stated that she is in her second year in the program and she is a counselor now. She stated that she teaches other students what she learned in the program. She stated that the program offered the job training she needed to get a job.

· Mr. James Hooker is a job developer and is responsible to help youth transition into employment. He stated that youth need the opportunity that this program offers. He stated that this program offers youth a positive way to occupy their time in the summer. He stated that it is a good opportunity to develop the youth into future business leaders, and views this program as an investment.

· Commissioner Najar stated that the amount being requested is more than a quarter of our budget. He stated that he is concerned that the Commission is becoming a grant agency. He asked if there is a way to support this program aside from granting funds.

· Ms. Nani Corelleti stated that they are trying to take it to the next level and figure out other ways by which to help the youth and support them. She stated it would take working together.

· Commissioner Cornell asked what part of the private sector or who is involved.

· Ms. Nani Corelleti stated that there are two that came to mind, one being the Chamber of Commerce and the other the Charles Schwab Foundation.

· Commissioner Cornell stated that in the last 10 years small businesses are employing more people versus big businesses, and said that small businesses should be considered.

· Ms. Nani Corelleti stated that it would be great to formalize something like that.

· Commissioner Cornell asked how much of the budget is allocated for the youths salary, and how much of it goes to her Department.

· Ms. Nani Corelleti stated that she did not have exact figures, but she stated that the administrative costs are capped at 15%, and she stated that her Department does not take a cut off the \$1.2 million. She stated that they administer the grant but they don't take any admin.

· Commissioner Murphy-Reed stated that she is concerned that not all career fields are being sought out.

· Ms. Nani Corelleti stated that they are trying to break out of the box and look at things that have been overlooked in the past.

· Mr. Mauricio Vela stated that they are willing to look at other careers and they are interested in exposing the youth to the many possibilities out there.

· Commissioner Cornell stated that he sees the benefits of having youth working, but is concerned that the Commission is becoming a funding agency.

· Commissioner Salma stated that he would like to support this program.

· Commissioner Najar stated that he supports the program and would like to put motion on the table to fund it with an additional \$50,000.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

· Mr. Daniel Hwang stated that there are other programs on the agenda that are also requesting funding. He stated that he would support this program at the original \$200,000.

· Commissioner Najar stated that he amends his additional \$50,000 and supports the original \$200,000 requested.

· Mr. Mauricio Vela asked if the other money being considered utilizes the remaining \$362,000.

· Mr. Daniel Hwang stated that there would still be monies left over, but said that there are other expenses pertaining to the Forum, which he would like to allocate that money to.

· Mr. Scott Hauge asked if Mauricio Vela was currently working with the Work Force Investment Board, and if so how.

· Mr. Mauricio Vela stated that they are not working with them.

· Mr. Scott Hauge stated that he would like to encourage that these type of activities be integrated into the Work Force Investment Board.

· Nani Corelleti stated that she is aware of the Work Force Investment Board and recognizes that it has not been implemented yet.

· Mr. Scott Hauge stated that he is disappointed that the small business community has not been approached.

· Mr. James Hooker stated that he is looking forward to the idea of working with small business associations.

· Ms. Nasamee Smith stated that she supports the program, and said that it has helped her get a job.

· Commissioner Cornell stated that most of the youth will end up working in a small business.

· Commissioner Murphy-Reed stated that most small businesses pay a living wage.

**Action:** Motion on the floor to fund \$200,000 for the Summer Youth Employment Program: Unanimous approval by the Commission.

**Item 8 - FUNDING REQUEST FROM MOCD FOR THE BAYVIEW DEVELOPMENT CENTER ON THIRD STREET.** [Presentation from Susan Reynolds and Al Lerma, Mayor's Office of Community Development (MOCD)]

· Mr. Al Lerma stated that he would recap the request from last month. He stated that they are requesting \$50,000 from the Small Business Commission to support a resource center on Third Street. He stated that a center such as the proposed one is much needed in the area. He stated that some key components of the center would be to provide training and small business consulting among other things.

· Commissioner Salma stated that the key to the success of the center is outreach.

· Commissioner Najar stated that again he is concerned that the Commission is becoming a grant agency. He asked if people citywide would be able to use this resource center.

· Mr. Al Lerma stated that resources need to be taken to where they are needed.

· Commissioner Najar stated that it is important to contribute to the entire city not just specific neighborhoods.

· Ms. Susan Reynolds from MOCD stated that they would be working in collaboration with The Renaissance Center because they are citywide. She stated that the center will relieve OSBA of some of its workload because people will go to the center instead.

· Commissioner Najar stated that he wants people to come into the office and use OSBA as a resource center also.

· Commissioner Cornell asked if the center would be funded year to year, or whether there is a long-term plan.

· Mr. Al Lerma stated that the plan for the center was drafted as a two-year plan.

· Commissioner Cornell asked where exactly the center would be located.

· Mr. Al Lerma stated that the location for the center is on 3<sup>rd</sup> Street and Evans in the Bayview shopping center on the second level. She stated that they would have preferred street level.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

· Commissioner Cornell stated that he did not like the fact that an office was going to use up retail space.

· Mr. Al Lerma stated that this is a two-year plan and they would hope to relocate thereafter.

· Commissioner Murphy-Reed asked about the budget and questioned the number of loans that will be granted. She stated that she does not understand how they came up with the number. She stated that most small businesses need loans in order to get started.

· Mr. Al Lerma stated that these numbers are preliminary numbers and stated that they anticipate starting off slow. He stated that individuals need to be loan ready.

· Commissioner Murphy-Reed asked how this program will be different than all of the rest, and questioned how it intends to help people whom have never had a loan and don't know about the process

· Ms. Susan Reynolds stated that Renaissance was selected because they have the most experience in this and said that they would walk people through the process.

· Commissioner Cornell asked about the success rates of Renaissance.

· Mr. Al Lerma stated that the success rate was high, however he did not have numbers with him, but stated that he would provide the annual report if it was needed.

· Commissioner Cornell asked what type of businesses would be going through this program, and stated his concern that the types of businesses needed out on Third Street are ones that require a lot of capital.

· Mr. Al Lerma stated that the range of businesses vary according to the need in the area. He stated that loans could be as high as \$100,000 or higher, depending on the banks.

· Commissioner Najar stated that he is concerned about becoming a funding agency and asked about possible partnerships.

· Mr. Daniel Hwang stated that he is interested in having a partnership with MOCD and the resource center. He stated that he would support this effort and has been in communication with Ms. Reynolds.

· Commissioner Murphy-Reed stated that she is concerned with the statement that reads that they are eager to work with the Asian Community. She stated that she did not think they mean to exclude the Hispanic Community or any one else. She asked if this program would be inclusive.

· Ms. Susan Reynolds stated that the Bayview is not exclusively an African American Community and that is what the statement hoped to address. She stated that there is a large Asian



and Asian American Community in that area of the city also. She further stated that the resource center would be inclusive of all peoples.

· Commissioner Cornell asked what does the Commission have to gain from this and how will people know that we support this center.

· Ms. Susan Reynolds stated that the Commission would gain the benefit of helping start small businesses and it would be advertised that the SBC supported it.

· Commissioner Murphy-Reed asked if the Commission would see progress reports.

· Ms. Susan Reynolds stated that progress reports would be available on a monthly basis.

· Ms. Sandy Sohcot stated that it would be beneficial if the Commission had guidelines as to the role of the Commission. She stated that criteria for granting funds is not clear, and she questions how much money will be left to address the recommendations of the Forum.

· Ms. Paula Tejada, a member of the public, stated that she received a loan when she went through MEDA, but the loan did not include working capital and she wishes the Commission to consider this.

· Mr. Rolf Muller, a member of the public, stated that he wish the Commission consider that if you continue to give grants, people will continue to request them.

· Mr. Al Lerma stated that their loans do include working capital.

· Commissioner Murphy-Reed stated that the Commission will develop standards and guidelines for granting funds.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

· Commissioner Cornell stated that the Commission does not want to be a granting agency in the future.

· Commissioner Najar stated that MEDA was sent away last month.

· Commissioner Murphy-Reed stated that Bayview/Hunters Point is an appropriate area for a resource center because it is one of the few places that does not have one.

**Action:** Commissioner Murphy-Reed moved to approval of the funding request. Commissioner Salma seconded. Unanimous approval from the Commission.

**Item 9 - UPDATE ON THE PROPOSED INCREASE TO LICENSING FEES FOR FOOD ESTABLISHMENTS.** [Presentation from Jack Breslin, Director of Consumer Protection Program]

· Mr. Jack Breslin stated that he came before the Commission last month to present the proposed fee schedule to increase the fees for inspecting food establishments. He stated that

the Commission asked him to recalculate the fees so that small businesses do not pay the same fees as larger businesses. He stated that larger establishments will pay more, and said that the revised fee schedule is an attempt by the Health Department to keep the fee increase for the small establishments as low as possible.



· Commissioner Cornell stated that the first page of the proposal stated an annual fee increase that would be automatically increased each year. He asked if the fee was set at a base fee or if it varied.

· Mr. Jack Breslin stated that the time spent in large and small establishments varies, so fees are structured based on the type of establishment.

· Commissioner Cornell stated that he is concerned that with all the other fees that a small business pays already, this fee increase will only hurt small businesses. He stated that in the proposal every other County seems to be paying less than San Francisco.

· Commissioner Salma stated that a yearly fee increase would bother him.

· Mr. Jack Breslin stated that the Board of Supervisors will not listen to a fee item such as this without going before the Small Business Commission first.

· Deputy City Attorney Adine Varah stated that this was in fact correct.

· Commissioner Murphy-Reed asked if it would be possible to request an increase on an annual basis rather than waiting five years and having a substantial increase.

· Mr. Jack Breslin stated that an annual request is an option and if that is what the commission decides that is what is decided.

· Commissioner Cornell asked if the Health Department would be required to do the same amount of work with less money if the proposal is not approved. He also stated that San Mateo pays less, and asked if we pay that much more.

· Mr. Jack Breslin stated that that would be the case, and stated that San Francisco pays about 10% more, but also stated that San Mateo has had public health related problems with some of its food establishments.

· Commissioner Salma stated that he commends the Health Department for being there, and for being responsive to citizen complaints.

· Commissioner Murphy-Reed stated that she would be interested in seeing a comparative analysis.

· Mr. Jack Breslin stated that an analysis would be available for review.

· Ms. Paula Tejada stated that it seems absurd that if an establishment that seats 7 people pays the same as one that seats 45.

**Action:** Motion on the floor to approve the fees only. Commissioner Najjar seconded. Unanimous approval from the Commission.

#### **Item 10 - PG & E THIRD PARTY INITIATIVE**

[Presentation from Scott Hauge, Small Business Advocates]

· Mr. Scott Hauge stated that he has come before the Commission in the past to speak on the energy problem and the problems it will create for small businesses in terms of the rate increases as well as the blackouts. He stated that he is working on a partnership program

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*

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(Continued) whereby PG&E has been required by the state to allocate funds for outreach to hard to serve communities. He stated that he is asking the Commission to send a letter of support stating that the Small Business Commission supports this effort and will work with this partnership.

· Commissioner Salma asked about the identity of Brown Vence and Associates-a partner named in the proposal.

· Mr. Scott Hauge stated that he was not familiar with Brown Vence and Associates other than that they were recommended by Cal Broomhead.

· Commissioner Salma stated that he had a problem supporting something that he did not know about, that being Brown Vence and Associates.

· Mr. Scott Hauge stated that Brown Vence and Associates comes under the recommendation of the city of San Francisco, and stated that this program came together very quickly, but said that they have worked with Cal Broomhead in the past on a similar project.

· Commissioner Cornell asked if the Commission could support the partnership without mentioning Brown Vence and Associates.

· Mr. Daniel Hwang asked who will do the outreach.

· Mr. Scott Hauge stated that it is a collaborative effort between Brown Vence and Cal Broomhead.

· Commissioner Cornell asked if the money for the proposal is allocated from the state to get advocate conservation to target the small business community.

· Mr. Scott Hauge confirmed that yes that was correct, and stated that the letter has to be in by Wednesday April 11, 2001.

· Commissioner Najar stated that he feels uncomfortable about making a quick decision.

· Commissioner Murphy-Reed stated that she would not like to pass up the opportunity to reach out to small businesses being that little interest has been showed to them in the past.

· Ms. Sandy Sohcot stated that there are a number of proposals out there.

· Mr. Scott Hauge stated that this is the only proposal targeting small businesses.

· Ms. Sandy Sohcot stated that she believes there are other proposals and questions how you decide which one to go with.

**Action:** Motion on the table to issue a letter of support to PG&E for outreach to the small businesses in San Francisco regarding energy conservation. The motion did not carry and no action was taken.

#### **Item 11 -OSBA REQUEST OF THE COMMISSION TO SOLICIT A REQUEST FOR PROPOSAL FOR A SMALL BUSINESS MARKET RESEARCH STUDY.**

· Commissioner Cornell stated that this item would be postponed until the next meeting.

**Item 12 -OSBA REQUEST OF THE COMMISSION'S APPROVAL TO SOLICIT/REQUEST FOR PROPOSAL FOR A WEBMASTER FOR THE OSA AND SBC WEBSITE.**

· Commissioner Cornell stated that this item would be postponed until the next meeting.

**Item 13 -PRESIDENT'S REPORT**

· Commissioner Cornell stated that he wished to welcome the new Commission Secretary, and stated that customer service skills were sought after when seeking someone to hire. He stated that the new hire has experience in customer services.

· He stated that the Board of Supervisors now requires that all legislation relating to small businesses must go to the Small Business Commission for review and recommendation.

**Item 14 - DIRECTOR'S REPORT**

· Mr. Daniel Hwang stated that there is a brochure that is available that addressed the collaborative efforts of the Renaissance group and the Office of Small Business Affairs.

· He stated that he apologized to the Commission and the public for the problems that had been ongoing in regards to the phones not being answered and so forth.

*Small Business Commission Minutes for April 9<sup>th</sup>, 2001*



**Item 15 - NEW BUSINESS**

· Commissioner Salma stated that he wished to add an agenda item for the next meeting. He stated that if we continue to fund organizations, we should look into working with the Council of District Merchants and it's members throughout the city's retail districts.

· Commissioner Murphy-Reed stated that beginning in May she would like to add an item to the agenda. She stated that she would like to see/hear presentations from various departments addressing the issue of what they do and so forth.

· Mr. Daniel Hwang asked if it would be possible to table this item for the June meeting.

· Commissioner Cornell stated that it should be considered.

**Item 16 - GENERAL PUBLIC COMMENT**

· Mr. Scott Hauge stated that he hopes that the Commission supports the PG&E initiative.

· He stated that the Small Business Advocates drove the issue of the legislation going before the Small Business Commission.

· Commissioner Cornell stated that a special meeting would be set up to discuss the budget.

**Item 17 - ADJOURNEMENT**

Meeting was adjourned at 9:27 p.m. due to lack of a quorum.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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MAY 14 2001

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*Notice of Meeting & Agenda for Monday, May 14<sup>th</sup>, 2001*  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee Murphy-Reed*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

**Action Item**

*Presentation, discussion, and possible action to approve the minutes for the April 09<sup>th</sup>, 2001 Small Business Commission meeting.*

*Explanatory Documents: Draft Minutes from the April 09<sup>th</sup> meeting.*

**3. GENERAL PUBLIC COMMENT**

**Discussion Item**

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**4. SPECIAL PRESENTATION BY THE PRESIDENT OF THE SMALL BUSINESS COMMISSION**

**Action Item**

*Presentation of certificate of appreciation award to Paul Pendergast for his contributions to the success of San Francisco's small business community.*

**5. PRESENTATION ON THE FUNCTION AND/OR ROLE OF THE PURCHASING DEPARTMENT.**

**Discussion Item**

*[Presentation by Judith Blackwell, Director of the Purchasing Department]*

*Presentation and discussion only.*



**City and County of San Francisco**  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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**6. REPORT ON THE ACCESS TO CAPITAL SUBCOMMITTEE OF THE SMALL BUSINESS FORUM**

Discussion Item

[Presentation by Barbara Morrison of TMC Development and Sue Malone of SF SBDC, co-chairs]

**7. REPORT ON THE TECHNOLOGY SEMINAR SERVICES: TECHNOLOGY, THE INTERNET, AND BEYOND**

Discussion Item

[Presentation from Romanus Wolter, Director of the San Francisco Small Business Development Center (SF SBDC)]

**8. UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS**

Action Item

*Presentation, discussion and possible action to approve the revised budget for the Commission and OSBA for the 2000-2001 and 2001-2002 fiscal years, prepared by the director and the Budget Committee.*

Explanatory Documents: Revised OSBA/SBC 2000-2001 & 2001-2002 budget

**9. OSBA REQUEST OF THE COMMISSION TO SOLICIT A REQUEST FOR PROPOSAL FOR A SMALL BUSINESS MARKET RESEARCH STUDY.**

Action Item

[Presentation from Daniel Hwang, Director Office of Small Business Affairs]

*Presentation, discussion, and possible action to approve the request.*

**10. PRESIDENT'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*

**11. DIRECTOR'S REPORT**

Discussion Item

*This item allows the Director of OSBA to report on recent small business activities and make Announcements.*

**12. NEW BUSINESS**

Discussion Item

*This item allows the Commissioners to introduce new agenda items for future consideration.*

**13. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*

**14. ADJOURNMENT**

*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.





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City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
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Fax: (415) 554-5163  
E-Mail: [Donna.Hall@ci.sf.ca.us](mailto:Donna.Hall@ci.sf.ca.us)

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The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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## City and County of San Francisco Small Business Commission



May 14, 2001

### CITY AND COUNTY OF SAN FRANCISCO

#### SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

#### MEETING MINUTES

Monday May 14th, 2001 5:30 PM  
Commissioners Chamber - Room 400

\_\_\_\_Small Business Commissioners\_\_\_\_

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, I.LEE MURPHY-REED

Director - Daniel Hwang  
Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma,  
I. Lee Murphy-Reed, Jose Najjar, Gwen Kaplan, Marivic Bamba  
Members Absent: Dick Mak

#### Call to order:

##### Item 1 - ROLL CALL

□ The Small Business Commission met on May 14th, 2001, in regular session. The meeting was called to order at 5:37 PM. Commissioners Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan, Marivic Bamba, and Jose Najjar were present.

##### Item 2 - APPROVAL OF MINUTES FOR APRIL 9TH, 2001

Action: Commissioner Murphy-Reed moved to approve the minutes. Commissioner Salma seconded. Unanimous approval from the Commission.

##### Item 3 - GENERAL PUBLIC COMMENT

□ Mr. Scott Hauge stated that the Advocates, along with the State of California, City

of San Francisco, and PG&E, are putting together an energy pledge campaign. He urged the Commission to outreach to the small business community in San Francisco to get them to agree to cut their energy use by 15%. He stated that PG&E is working with them by providing a phone audit service. He stated that by filling out a form, PG&E would contact the individual and discuss possible rebate programs. He stated that his goal is to get 300 pledges by May 30th, and 2000 by the end of July. He stated that the kick-off event for the campaign would be a walk on Geary Street at 1pm on Wednesday May 16th.

□ Ms. Hala Hijazi from the Mayor's Office of Economic Development (MOED) stated that she was Project Manager for the Small Business Facade Grant Program, which was a pilot program to help small businesses revitalize their facades. This originally happened along San Bruno Avenue. She stated that the program was a success, but due to lack of staffing from her office they are no longer able to carry out this program. She stated that her office is willing to support other organizations such as MEDA to keep the program running. She stated that MEDA has already been allocated \$50,000 from MOED and would receive an additional \$50,000 from LISC for this cause. She stated that it was important for the Mayor's Office to put resolution to this. Furthermore she stated that it would be the Commission's decision to fund MEDA for administrative cost or matching bases.

Small Business Commission  
2001

Minutes for May 14th,

□ Mr. Daniel Hwang stated that this item would be on the next month's agenda as an action item with a full presentation and explanation from MEDA of how the money will be used.

Action: No motion, no action taken, public comments only.

#### Item 4 - SPECIAL PRESENTATION BY THE PRESIDENT OF THE SMALL BUSINESS COMMISSION [Presentation from Stephen Cornell, President SBC]

□ Mr. Stephen Cornell stepped down to the floor and Paul Pendergast of Pendergast and Associates joined him. Mr. Cornell stated that he wished to thank Mr. Pendergast for all his work with the small business community in San Francisco, and for his efforts in doing this as a small business owner himself. Mr. Cornell presented Mr. Pendergast with a certificate of appreciation plaque for his contributions to the success of San Francisco's small business community.

□ Mr. Paul Pendergast stated that he thanked the commission and those people have helped him along the way and contributed to his cause.

Action: No action taken, presentation of Certificate of Appreciation plaque only.

#### Item 5 -PRESENTATION ON THE FUNCTION AND/OR ROLE OF THE PURCHASING DEPARTMENT [Presentation from Judith Blackwell, Director of Purchasing]

□ Ms. Judith Blackwell Director of Purchasing, stated that her department is going through some changes. She stated that purchasing in the City and County of San Francisco is a highly decentralized function. She stated that the Purchasing Department as it stands now, in terms of doing a purchasing function from beginning to end (sending out the RFP, reviewing the documents themselves and making decisions) is primarily focused on the equipment and supplies area of the city, which in itself is vast. She stated that all of this happens within the Purchasing Department. She also stated that citywide departments are in power to perform purchasing function for Construction, Architectural and Engineering and for professional services. She stated that her department does however review their documents and make sure that they adhere to purchasing requirements. She stated that her department develops the rules and regulations, they go out and educate other departments, and at the end of the process they evaluate the package to ensure that everything is in order. She stated that they make sure that the packages meet all City requirements such as compliance with the Human Rights Commission (HRC) 12B and 12D (MBE/WBE and the Domestic Partners Requirements). She stated that the city has at least two pages of such requirements. She stated that her department relies on HRC. In addition

she stated that the department is going into a new phase, one in which they will attempt to consolidate some functions into one office called Office of Contract Administration. She stated that their goal is to become a one-stop shop 6 to 12 months from now. In doing this she stated that they will be enforcing the new Minimum Compensation (MCO) requirements which state that all businesses with 20 or fewer employees having a service contract with the city must pay a minimum of \$9 per hour and provide health insurance for that employee. She also stated that the Purchasing office would have an enforcement unit to ensure that labor standards are met on construction sites and so forth. Furthermore she stated that there is a 5% local preference that is enforced through HRC. She stated that ordinance 21C gives preference to local businesses of 1.15%.

- Commissioner Salma asked what if a contractor/company has employees working in different cities, would they have to meet the requirements for all employees regardless of where they work or only those working in San Francisco.

- Ms. Judith Blackwell stated that the requirements would have to be met only for those employees working on a city job in San Francisco.

- Commissioner Kaplan asked about the bundling of contracts. She stated that many times one company is awarded the contract but that company often times subcontracts out to other companies that may not meet the requirements. She asked what would be the status of this issue in relation to moving towards a one-stop shop.

- Ms. Judith Blackwell stated that she favors unbundling. She stated that it has been done in regards to the city's reproduction services. She stated that with regard to A&E contracts and the like, she can only suggest to a department head, but she can not force them to not bundle.

- Commissioner Kaplan asked about the increased requirements that were passed in October. She asked what does the city do when they don't find someone that meets the requirements.

- Ms. Judith Blackwell stated that there are things that can be done such as giving waivers.

- Commissioner Kaplan asked about the WBE & MBE requirements. She asked what is the cut off for that amount of money? She gave example of Parking and Traffic.

Small Business Commission  
2001

Minutes for May 14th,

- Ms. Judith Blackwell stated that she did not have any numbers on this issue because it is an HRC function. She stated that she would be willing to work with Daniel or whomever to understand how the loophole works and try to craft legislation to close it. She stated that such practice is wrong and she feels that the city should not tolerate it.

- Commissioner Murphy-Reed stated that the crux of the problem lies in the mislabeling and bundling of trades such as Interior Design under the umbrella of Architecture, Engineering, and/or Construction. She stated that many women in particular are being left out and not reaping the benefits of contracts due to such practices. She also stated that for many years she has been subsidizing people to discriminate against her and deny her the opportunity to participate in a city that she supports and lives in. She stated that she would like Ms. Blackwell to look into this matter. Furthermore she stated that people should be informed that they could apply for contracts. She also asked about the different offices within Ms. Blackwell's office, and asked when does her department sign off on jobs, or orders.

- Ms. Judith Blackwell stated that there are at least three different kinds of people doing purchasing for the city. She stated that one is her department, which is located on the 4th floor at City Hall, the second is the satellite purchaser, located on site at various city departments such as MUNI and the PUC. The third are the contract administrators, which she stated are hired by the various departments independently. Ms. Blackwell stated that her office signs off at the end of the process once they have received the package with the waivers if they were required and so forth. She stated that they review the package for compliance and sign off respectfully.

- Commissioner Murphy-Reed stated that they should be able to receive the package at the beginning of the process in order to be able to ask the proper questions and better review the packages.
  - Ms. Judith Blackwell stated that if they received the packages at the beginning she is certain that they would be able to effect more change such as unbundling.
  - Commissioner Bamba stated that the violations of chapter 12D that Commissioner Kaplan and Commissioner Murphy-Reed mentioned, should be reported to the Human Rights Commission because it falls within its' jurisdiction. She stated that what is within Ms. Blackwell's purview is the leverage that she has to establish a pool of vendors from which to purchase supplies and the like. She asked if there are any efforts from her department to include smaller businesses in the larger contracts.
  - Ms. Judith Blackwell stated that indeed there are efforts, and she referred back to reproduction services where this is already occurring.
  - Commissioner Bamba encouraged Ms. Blackwell to work closely with the HRC in identifying small businesses in order to involve them in the process.
  - Commissioner Cornell asked if someone local starting a business would get a double preference because they would not be paying tax and they would also benefit from the local preference. Furthermore he asked if the Purchasing Department has the power to tell a company who has been granted a contract that they must buy from local businesses in respect to revolving accounts. He stated that he would like this matter to be looked into.
  - Ms. Judith Blackwell stated that a loophole did exist, and that there is a preference for local and small businesses. She stated that under \$5000 there is discretion.
  - Commissioner Murphy-Reed stated that the biggest complaint that she hears from the small business community is that they are being left out of the process and as a result they are not getting city jobs. She asked that this matter be looked into further.
  - Mr. Paul Pendergast, a member of the public, thanked both Commissioner Kaplan and Commissioner Murphy-Reed for their comments. He stated that the state of California puts out 6 billion dollars worth of business each year, of that 5% goes to small businesses. He stated that the Governor wants to increase that number to 25%. He stated that at the Small Business Forum there were recommendations made on the procurement process and he would like Ms. Blackwell's office to embrace those recommendations. Secondly he asked for numbers regarding the percent of contracts that the Purchasing Department allocates to small businesses. Thirdly, he asked Ms. Blackwell what definition her department uses when defining a small business. And lastly, he asked about the best practices and what they might entail.
  - Ms. Judith Blackwell stated that she does not have access to that information because her computer system is not set up to track those types of numbers. She stated however that this is an issue that she will be going before the city council to request. With regard to the list of recommendations from the Forum she stated that she would be more than happy to review it. With regards to the best practices, she stated that her office is involved with statewide procurement organizations, including a group called CAPO. She also stated that she worked in Atlanta and that she brings some of the approaches used there. She stated that Atlanta has a very aggressive MBE/WBE program.
- Small Business Commission  
2001
- Minutes for May 14th,  
2001
- Mr. Scott Hauge, a member of the public, asked Ms. Blackwell if she would be willing to discuss the computer system that is currently in place.
  - Ms. Judith Blackwell stated that the system that is in place now is called Adpix. She stated that it does what it is supposed to do but that does not include tracking data. She stated that she might be coming before the commission in the future to request their support in getting a new system, one that includes developing reports. She did state however that she is looking forward to the implementation of COGNOS, which will come from the Controller's office and will do a lot of work in less time.
  - Commissioner Cornell thanked Ms. Blackwell for coming to the meeting and for her



presentation.

Action: No action taken, presentation and discussion only.

#### Item 6 - REPORT ON THE ACCESS TO CAPITAL SUBCOMMITTEE OF THE SMALL BUSINESS FORUM

[Presentation from Sue Malone of San Francisco Small Business Development Center]

□ Ms. Sue Malone from the San Francisco Small Business Development Center attended the Forum and was on the access to capital committee of the Forum. She stated that the idea to provide small business owners the additional money that they need for their business, aside from what is already available (that being a micro loan of \$25,000), came out of the Forum. She stated that a few people got together and decided to enroll bankers in a program that would simplify the process of access to capital for small business owners. She stated that currently there are four bankers that are willing to work with them (Wells Fargo, Cal Fed, City Bank, and CIT). She stated that they would be attempting to enroll four additional banks. She stated that it would be a collaborative effort between private and public sector, stating that the public sector would be meeting with the small business community one to inform them about this new vehicle, and two, to prepare them to go before the bankers. Furthermore she stated that once everything is ready they will do a one-page summary and email it out to the seven bankers and the first bank to respond will get the loan.

□ Commissioner Cornell asked if the city was getting a piece of the action in contracting out to the banks, or if they were just putting together the packages for the small business owner. He also asked if this service was only for existing businesses or did it apply for start up businesses as well.

□ Ms. Sue Malone stated that they would simply be putting together all the information that a banker might need to approve a loan. She stated that it is not a contract with the banks. Ms. Malone clarified that this service would be available to both existing and new businesses.

□ Commissioner Salma asked who would be checking the credit history.

□ Ms. Sue Malone stated that her office would check the credit history. She stated that it was a win-win for small businesses.

□ Ms. Pat Christiansen, a member of the public, asked for clarification on how the program works and where someone would go for such services.

□ Ms. Sue Malone stated that often when seeking to get a loan people are not clear as to what they really need. She stated that the agency would assist in clarifying this aspect, by asking questions to identify the needs of the small business owner. Furthermore she stated that the agency would prepare the full package to submit to the banks to meet the specific needs. She went on to state that the next stage in the development of this program would be to decide on the agency that would provide such services. She stated that the issue of where one would go for such services would be worked out in future meetings.

Action: No action taken, presentation and discussion only.

#### Item 8 -UPDATE ON THE BUDGET FOR THE COMMISSION AND THE OFFICE OF SMALL BUSINESS AFFAIRS BUDGET FOR THE 2000-2001 AND 2001-2002 FISCAL YEARS

[Presentation from Director of OSBA, Daniel Hwang]

□ Director Daniel Hwang stated that he hoped that any questions or concerns would be answered today because of the time constraint related to submitting the budget for the next fiscal year. He stated that the budget had been put off at past meetings and he wished to move forward with it.

□ Commissioner Bamba asked about the allocation of only one new position. She asked Mr. Hwang if he felt that one full time position was adequate. Commissioner Bamba also asked about the \$57,000 difference between the 2000-2001 budget and the 2001-2002 budget. She stated that she was concerned that there may be a downward trend. She also asked if the mandates of the Forum were being met in this budget. She stated that she would have liked to keep the base amount and address more of the mandates of the Forum.

Small Business Commission  
2001

Minutes for May 14th,

□ Director Daniel Hwang stated that he did not think that one staff was adequate, and stated that currently there are no new creations of any positions in the city, especially for the Mayor's Office. He stated that the mandates from the Forum were prioritized, but that he certainly wished to address all of them at some point. He stated that the difference in the budgets was due to a cumbered contract carried over from the year before, and that this amount of money was not part of the base amount which now more closely reflects this years base amount.

□ Mr. Richard Soyombo, a member of the public, stated that he would like to thank the Commissioners for allocating money for international trade development, and stated that hopefully next year the Commission could help with additional funding. He stated that his agency holds a series of seminars on international trade and development and said that he is trying to encourage Latino businesses. He invited the Commissioners to be his guest at the 2nd Annual Latin American Trade Route on the 24th of May.

□ Mr. Rolf Muller, a member of the public, stated that he was concerned that the Commission was becoming a funding agency. He stated that the Commission should be here to represent all small businesses. He stated that if the Commission is being advised that there will be funding request in the next year, it should put an end to it now.

□ Mr. Scott Hauge, a member of the public, asked what the difference was between the budget presented at the last meeting and the budget before the Commission at the present meeting. More specifically he asked about the bottom line expenses for 2001-2002 fiscal year.

□ Director Daniel Hwang stated that he believed the difference to be \$200,000.

□ Mr. Scott Hauge stated that at the last meeting he raised an objection to the budget that was being presented, and stated that he wished to applaud Daniel Hwang for reducing the budget.

□ Mr. Richard Soyombo stated that he is not asking for funding for his office. He stated that he wanted to clarify the fact that his office is state funded.

Action: Commissioner Murphy-Reed moved to approve the budget. Commissioner Kaplan seconded. Unanimous approval from the Commission.

**Item 9 - OSBA REQUEST OF THE COMMISSION TO SOLICIT A REQUEST FOR PROPOSAL FOR A SMALL BUSINESS MARKET RESEARCH STUDY.**

[Presentation from Director of OSBA, Daniel Hwang]

□ Director Daniel Hwang stated that he would like the Commission's approval to develop an RFP or solicit a bid to work with a maximum amount of \$10-15 thousand dollars for a small business market research study. He stated that he would like to bring the RFP to the Commission at the next meeting. He stated that he would like to get feedback from the Commissioners in regards to what specific scope of work they would want the study to focus on if any.

□ Commissioner Bamba asked for a draft.

□ Commissioner Cornell stated that there are small businesses that are looking to help conduct such a study.

Action: Commissioner I. Lee Murphy-Reed motioned to approve the request.

Commissioner Salma seconded. Unanimous approval from the Commission.

**Item 10 - PRESIDENT'S REPORT**

□ Commissioner Cornell stated that he wished to briefly mention items that were discussed at the last meeting. He stated that the Commission heard from the Health Department about the fee increases and stated that he believed this matter had not been passed due in part to what was said at the SBC. He also stated that the Commission heard about different signage ordinances, and likewise, the committee took to heart what the SBC had to say about the ordinances. Commissioner Cornell



also stated that there are a lot of things happening in regards to the energy crisis and he stated that he wished to discuss the SBC's role in the crisis in the future. He stated that he and Mr. Hwang had met with Supervisor Geraldo Sandoval and discussed some of the issues important to him and his district that being the Excelsior and Ingleside districts. He stated that the Commission is likely to work closely with Supervisor Sandoval in meeting the needs of the small business community in his district. Commissioner Cornell stated that he would like to thank the Commission Secretary for the good job that she is doing. He stated that he had received a lot of nice calls.

#### Item 11 - DIRECTOR'S REPORT

▫ Mr. Daniel Hwang stated that there have been more entrepreneurs and small business owners coming to the office and he stated that he thinks the office is being referred to more often as the first place to start when looking into starting a business in San Francisco.

Small Business Commission  
2001

Minutes for May 14th,

#### Item 12 - NEW BUSINESS

▫ Commissioner Murphy-Reed stated that she would like to have small business owners from throughout the city come before the Commission to discuss some of their issues and concerns.

▫ Director Daniel Hwang stated that various departments would be invited to present at future meetings. He stated that Director Virginia Harmon from the Human Rights Commission would be scheduled to present at the next meeting.

#### Item 13 - GENERAL PUBLIC COMMENT

▫ Mr. Scott Hauge stated that he wished to inform the Commissioners that the Small Business Advocates met with the Mayor regarding the energy conservation program. He also stated that he wanted to speak on the results of JUMA Ventures, which in part was funded by the Commission. He stated that the goal was to enroll 163 businesses and the actual number was 217. He stated that the goal was to place 130 people and in actuality 140 people were placed at 90 businesses. Overall, he stated that the results were absolutely extraordinary.

▫ Commissioner Kaplan asked Mr. Hauge to briefly explain how the program was started.

▫ Mr. Scott Hauge, a member of the public, stated that when the program was being developed a couple of years ago a study was conducted whereby small businesses owners were asked to list their priorities. He stated that the priorities were as follows, in order from highest to lowest: development of soft skills, to have a community based organization that has some understanding of small business, assistance in human resource type situations (child care, health care), risks that are taken in hiring, and tax breaks. He stated that the program was developed around these responses. He stated that they dealt with the tax break first, and then found the perfect opportunity in JUMA ventures, a community based organization. He stated that JUMA ventures along with Job Network provided the soft skills training. Finally, he stated that it is a continuing effort and not something that is over and done with.

▫ Commissioner Cornell stated that he wanted to mention that he did attend the meeting with the Mayor to discuss the energy crisis and what the Small Business Commission is doing for small businesses. He stated that he talked about the city energy conservation program that SBC in collaboration with Mr. Cal Bloomhead of the Department of the Environment are working on.

▫ Mr. Rolf Muller, a member of the public, stated that he is concerned that parking spaces are disappearing throughout the city. He stated that he has put forth a request to Supervisor Yee so that he may draft legislation to deal with this problem. He stated that he also requested that once the legislation is drafted, that it go before the Small Business Commission. He asked the Commission for their support on this matter. Furthermore, he asked for suggestions from the Commission regarding this issue, and

asked what else can be done to save parking spaces for small businesses.

Item 14 - ADJOURNMENT

Meeting was adjourned at 7:33 p.m.

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SMALL BUSINESS COMMISSION



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NOTICE OF  
SPECIAL MEETING

*Please note the date and time of the special meeting.*

Date: Thursday May 24<sup>th</sup>, 2001.

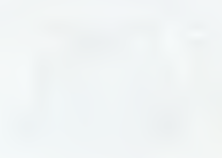
Time: 4:00 PM

Location: Room 408, City Hall

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San Francisco, CA 94102

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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**\*Notice of Special Meeting\***

Agenda for Thursday, May 24<sup>th</sup>, 2001

1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 408- 4:00PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najjar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

Director – Daniel Hwang

Commission Secretary – Martha Yanez

REVISED

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. HEALTH CARE ACCOUNTABILITY ORDINANCE**

PRESENTATION ON PROPOSED ORDINANCE (File No. 010848) AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 12Q, ENCOMPASSING SECTIONS 12Q.1 THROUGH 12Q.11, TO REQUIRE CONTRACTORS THAT PROVIDE SERVICES TO THE CITY OR ENTER INTO CERTAIN LEASES WITH THE CITY, AND CERTAIN SUBCONTRACTORS, SUBTENANTS AND PARTIES PROVIDING SERVICES TO TENANTS AND SUBTENANTS ON CITY PROPERTY, WITH RESPECT TO COVERED EMPLOYEES, TO OFFER HEALTH PLAN BENEFITS TO EMPLOYEES, TO MAKE PAYMENTS TO THE CITY FOR USE BY THE DEPARTMENT OF PUBLIC HEALTH, TO MAKE PAYMENTS DIRECTLY TO EMPLOYEE UNDER LIMITED CIRCUMSTANCES, OR TO PARTICIPATE IN A HEALTH BENEFITS PROGRAM DEVELOPED BY THE DIRECTOR OF HEALTH.

**Action Item**

[Presentation from Steve Kawa, Mayor's Deputy Chief of Staff]

Presentation, discussion, and possible action to make recommendations to the Board of Supervisors and the Mayor regarding the proposed Health Care Accountability Ordinance.

**Explanatory Documents:** Proposed Health Care Accountability Ordinance File No. 010848, Cost Estimate of proposed Ordinance, Legislative Digest.

**3. GENERAL PUBLIC COMMENT**

**Discussion Item**

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future Consideration*



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

**Agenda Continued**

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**4. ADJOURNMENT**

Action Item

*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.  
\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

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Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163

E-mail: [Donna.Hall@ci.sf.ca.us](mailto:Donna.Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.







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## City and County of San Francisco Small Business Commission



May 24, 2001

### CITY AND COUNTY OF SAN FRANCISCO

#### SMALL BUSINESS COMMISSION

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

#### MEETING MINUTES

Monday May 24th, 2001 4:00 PM  
Commissioners Chamber - Room 408

\_\_\_\_Small Business Commissioners \_\_\_\_

STEPHEN CORNELL - PRESIDENT  
JOSE NAJAR - VICE PRESIDENT  
MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,  
YASIN SALMA, I.LEE MURPHY-REED

Director - Daniel Hwang  
Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Dick Mak Members Absent: Marivic Bamba, Jose Najar

#### Call to order:

##### Item 1 - ROLL CALL

□ The Small Business Commission met on May 24th, 2001, in special session. The meeting was called to order at 4:16 PM. Commissioner's Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan, and Dick Mak were present.

##### Item 2 - HEALTH CARE ACCOUNTABILITY ORDINANCE

PRESENTATION ON PROPOSED ORDINANCE (File No. 010848) AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 12Q, ENCOMPASSING SECTIONS 12Q.1 THROUGH 12Q.11, TO REQUIRE CONTRACTORS THAT PROVIDE SERVICES TO THE CITY OR ENTER INTO CERTAIN LEASES WITH THE CITY, AND CERTAIN SUBCONTRACTORS, SUBTENANTS AND PARTIES PROVIDING SERVICES TO TENANTS AND SUBTENANTS ON CITY PROPERTY, WITH RESPECT TO COVERED EMPLOYEES, TO OFFER

HEALTH PLAN BENEFITS TO EMPLOYEES, TO MAKE PAYMENTS TO THE CITY FOR USE BY THE DEPARTMENT OF PUBLIC HEALTH, TO MAKE PAYMENTS DIRECTLY TO EMPLOYEES UNDER LIMITED CIRCUMSTANCES, OR TO PARTICIPATE IN A HEALTH BENEFITS PROGRAM DEVELOPED BY THE DIRECTOR OF HEALTH.

[Presentation from Steve Kawa, Mayor's Deputy Chief of Staff, and Ms. Tangerine Brigham, Director of Policy and Planning, Department of Public Health]

□ Mr. Steve Kawa stated that he came to discuss a measure that was put forth by the Mayor. He stated that the measure had passed before the Board of Supervisors on first reading the past Monday. The issue is Health Care Accountability. He stated that he was aware that people were concerned about the process by which this measure was put forth, he stated that the concerns included feelings of not being included in the process. He stated that although he can not redo the past, he could deal with the present and the future and try to make it better. He also stated that he wanted to explain the Mayor's thoughts behind the legislation and what they took into consideration regarding small businesses. He stated that in the winter of 1996 a Health Summit was held and certain issues were raised. One of the main issues and the one relating to this ordinance, was the large number of San Francisco residents without healthcare. He stated that it was found that 130,000 San Franciscans did not have healthcare, and of that number, about 85,000 were working San Franciscans. He stated that as a result, the Mayor asked the Director of Health to put together a blue ribbon committee to address this issue. He stated that in May of 1998 the Small Business Commission Minutes for May 24th, 2001

□ committee came up with a pool concept. He stated that the same year, the Mayor proposed Prop. J (which the voters overwhelmingly supported). He stated that the big issue with prop J was the concern that the city did not want to bite off more than it could chew (referring to the 130,000 San Franciscans that would be effected by it). He stated that the Mayor tried to incrementally increase coverage for the uninsured (ex. Provided coverage to 7,000 in-home support service workers, and about 4,100 airport workers). He stated that during the living wage discussion there was a component of the original living wage that required an additional cost to be added to the living wage for healthcare purposes. He stated that during this discussion the Mayor did not believe that providing an employee with additional wages, in hopes that they would get themselves healthcare, was the way to go. He stated that the goal was to get healthcare coverage for individuals, not just to increase their wages. So he stated that they would try to get healthcare coverage by separating this issue from the living wage issue. He stated that the living wage advocates agreed if the Mayor agreed to work on providing healthcare coverage. He stated that they have been working very diligently because the living wage ordinance passed August of last year and it is now May of the following year and some folks believe that the issue has been delayed too long. He stated that this is how the Health Care Accountability Ordinance came about. He stated that the ordinance was meant to be simple, stating that if you are going to contract with the city you need to provide health care. He stated that it would not be possible to mandate it and that businesses need to be given choices. He stated that if the employer could not provide health coverage, the employer would have to pay an additional \$1.50 for an employee on a city contract for every hour he/she works up to \$60 a week. He stated that hopefully the employer would choose the first option, to provide the health coverage. He stated that there are exemptions, for example, if you have 20 or fewer employees and you are a for-profit business, you are exempt. Other exemptions include 50 or fewer employees and non-profit, contracts of \$25,000 or less and you are a for-profit business, contracts of \$50,000 or less and you are a non-profit and contracts less than 1 year in duration. He stated that one of the things is cost. He stated that they do not want small businesses to go out of business as a result, so the Mayor's office is appropriating \$4 million in the next budget for a no service diminution for contractors if the bids go up. He stated that he was aware that the President of the SBC had concerns regarding the process by which this legislation was drafted and how it was not brought before the

Small Business Commission. He stated that it would be good to set up a structure whereby his office would notify the SBC of issues relating to the small business community in advance of any action taking place. He stated that he was willing to keep the Commission informed and would work on improving this in the future.

◦ Commissioner Cornell asked for statistics regarding the businesses that are likely to be effected by the ordinance.

◦ Mr. Steve Kawa stated that 5,750 folks on airport contracts that are not currently covered would be covered by this ordinance. He stated that they believe 7,550 people on city property will be covered, about 2,600 from the non-profit community, and an additional 1,600 from the for-profit community will be covered under this ordinance. He stated that he did not know how many businesses would be involved and or effected.

◦ Commissioner Cornell stated that he is concerned about the exemptions. He questioned why entire departments have been exempted.

◦ Mr. Steve Kawa stated that the exemptions have to do with legal requirements. For example, the Treasurer has a fiduciary responsibility; therefore nothing in the ordinance can supersede the charter. He stated that there are other charter requirements and intergovernmental requirements, whereby a local government can not impose requirements on state or federal entities. He asked Ms. Miriam Stomblor for assistance in answering such questions.

◦ Ms. Miriam Stomblor, Deputy City Attorney, stated that there's a combination of both policy and legal reasons why a particular exemption may exist. For example she stated that the exemption for the Treasurer (see page 5 (14) of the ordinance) exists to ensure that we do not interfere with a pre-existing fiduciary duty. She stated that in reference to the exemption of the Recreation and Park property (see page 10 (top)), it is a matter of policy. She stated that in reference to the exemption of the City Attorney's office, it is a matter of policy and said she would assume that it exists to give flexibility where it is needed. In reference to the waiver for the Public Utilities Commission (see page 19), she stated that it exists in cases of emergency that endanger the public health or safety. She stated that there was a question regarding the public entity exemption and said that it appears in three places. She (Continued) stated that this exemption is a combination of policy and legality, because they wanted to ensure that they covered ERISA covered and ERISA exempt organizations.

◦ Commissioner Kaplan asked why Parking was not included. She stated that she did not understand why certain groups are excluded.

◦ Mr. Steve Kawa stated that Parking is included. He stated that the legislation was written to say who is included. He also stated that certain groups were excluded from the legislation because the city does not have contracts with those entities, such as the Community College, School District, and the Housing Authority.

◦ Commissioner Cornell questioned what outside groups worked on the legislation. He stated that mainly it would be small businesses that would be effected by this and he wondered if any such groups were included in the drafting of the legislation.

Small Business Commission  
for May 24th, 2001

Minutes

◦ Mr. Steve Kawa stated that they did meet with a number of people, and they believed that they were taking into account comments and criticism that were presented in the past from the work that the blue ribbon committee did. He also stated that he believes the legislation was drafted very prudently and reasonably. He apologized for having to leave to attend a meeting with the Mayor but stated that Ms. Stomblor and Ms. Brigham would be available to answer any further questions.

◦ Commissioner Salma asked Ms. Stomblor to clarify the issue in reference to the exemption for private small businesses. He presented a hypothetical case in which a for-profit employer with 20 or fewer employers has a contract with the city and

subcontracts a portion of the work to a subcontractor from Oakland that is also for-profit but has more than 20 employees of which only 5 are working on the contract in question. He asked if under this ordinance, would the Oakland subcontractor have to provide healthcare coverage to those 5 employees.

□ Ms. Miriam Stomblor stated that in this hypothetical case, the Oakland contractor would have three options. She stated that the subcontractor could either provide benefits according to the minimum standards, pay an additional \$1.50 per hour, either to the employee (if he/she did not live in San Francisco), or to the City. She stated that at some point there would be a third option, that being to participate in the pool which would be set up by the Health Department, to the extent the covered employee lives in San Francisco.

□ Commissioner Cornell posed another scenario relating to the lease part of the ordinance. He presented a hypothetical case in which a tenant on city property hires a security service to perform services within the tenancy.

□ Ms. Miriam Stomblor stated that the security service would have to perform their services on an ongoing and occurring basis. In other words, the hypothetical Security Company would be exempt if they cumulatively work less than 130 days within a 12-month period. She stated that this service would be considered not regular and would not be covered, but if the security service was ongoing it would be covered by the ordinance.

□ Ms. Tangerine Brigham, Director of Policy and Planning for the Department of Public Health, stated that she would discuss the role of her department with respect to the ordinance. She stated that the Health Department would be setting the minimum benefit standards, including ensuring that if the employer opts to provide healthcare, that the benefits are comprehensive health benefits. She stated that the minimum benefits standards would include 4 components. She stated that the effective date of coverage is one component, and went on to say that the premium is another component, as are the benefits that will be provided, and the co-payment. She stated that the Health Department is currently looking at benefit packages that are available such as PAC Advantage, Blue Cross, Blue Shield, Kaiser, & Etna. She stated that they are also looking at an annual report that surveys small, medium, and large employers asking questions regarding health benefits. She stated that the Health Department would be designing the package with the results from this survey in mind. She stated that the department would be presenting this before the Health Commission for an initial discussion, and said that the Health Commission would be approving it on June 5th at the Department of Public Health at 1 Grove Street 3rd Floor. She stated that it would be a good opportunity for the SBC and members of the public to give their feedback. She stated that cost is a factor from both perspectives, and would appreciate the public comments on the proposed ordinance. Furthermore she briefly discussed the additional \$1.50 per hour that an employer could choose to pay if that employer opts against providing benefits. She stated that this money would go to the Health Department to enable them to provide health services when needed to the employees. Lastly she added that over the next year the Health Department would be developing a purchasing pool whereby employers who found it difficult to purchase insurance for their employees could contribute to the pool and this in turn would lead to those individuals getting healthcare benefits.

### Item 3 - GENERAL PUBLIC COMMENT

□ Mr. Fred Aranjó, Broker and a member of the public, stated that he provides insurance to about 500 businesses in San Francisco. He stated that he is concerned with this legislation because he thinks that the City has to know what they are doing from an actuary point of view. He stated that the risks of not knowing how this will turn out could be catastrophic for the City. He stated that he does not believe the City has clearly identified the beneficiaries of the ordinance nor the number of businesses/people that would be effected by the ordinance. He stated that he had statistics mainly from the South of Market are of the City which prove that more likely than not, employers with 20 or more employees already offer benefits. He stated that he believes that the ordinance has the potential to burden the City's health system.

He stated that the competitive market would not allow the City to have a pool.

▫ Commissioner Cornell asked about the policies that are available. He asked if there is one that allows employees to work less than 20 hours and be covered, and asked about the normal waiting period, and who sets that norm. He asked if a company has branches in other city's, would they be required to provide benefits to all employees regardless of where they are located.

▫ Mr. Fred Arango stated that there is not a plan in the industry that allows the employee to be covered if they work 20 or fewer hours. He stated that the waiting period is normally determined by the employer and it is typically a 90 day period. He stated that the insurance company could mandate how many people must sign up in order to provide benefits. For example he stated that the insurance company could require a minimum of 50% participation in their employee package. He stated that a \$60 million deficit already exists within the Health Services, and he does not believe that now is the right time.

Small Business Commission  
for May 24th, 2001

Minutes

▫ Ms. Patricia Breslin, Executive Director of Golden Gate Restaurant Association (GGRA), stated that she does not oppose health coverage in anyway. She stated that most of the businesses that belong to the association provide healthcare for their employees. She stated that she is concerned with the process of the passing of the ordinance and the details of the ordinance and the future standards of it. She stated that GGRA was involved in the initial discussions of the creation of the ordinance and they expressed their concerns at that time, but she stated that she was surprised that the level of public input was negligible once the ordinance was drafted. She requested that now that the ordinance is passed she would like the association to be a part of the integral process in determining the coverage standard.

▫ Mr. Paul Pendergast, Director, Pendergast and Associates stated that he would like to suggest some things for the commission to consider in moving forward with the ordinance. He stated that the commission might want to recommend that a small businessperson be put on the Health Commission so as to keep the small business community informed about situations such as this one. He stated that if the Blue Ribbon committee still exists, it would be great to have a small business representative on that committee as well. He stated that it would be important for the Department of Public Health to look at the 1998 and 2000 final reports from the Small Business Forums and adopt and embrace the recommendations that specifically address healthcare issues for small businesses. And finally he addressed the public notification process. He stated that he would like to recommend that there be some kind of formal public educational process in place.

▫ Mr. Glen Washington, of Human Services Network, consortium with non-profits, stated that non-profits are also small businesses. He stated that as such, they are also concerned with the ordinance although they do not oppose it. He stated that they are concerned especially with the construction of the health care pool. He stated that when the minimum compensation ordinance was passed there was a promise to have regulations in place within 3 months and it is now 9 months later and there are no regulations in place. He asked the commission to be very vigilant with this ordinance to make sure that a pool actually becomes available because he is concerned that with out it no additional health coverage would be provided. He stated that he wants to work with the commission to amend the legislation to make it workable.

▫ Commissioner Cornell stated that there are a lot of questions regarding how this is going to work, and asked if non-profits are signing contracts that they don't know how it will effect them in the future.

▫ Mr. Glenn Washington stated that this was absolutely correct. He stated that it is a real problem for them. He stated that doing business with the city is often times a tricky proposition. For example, he stated that with the MCO they had to sign papers verifying that any subcontractors met minimum compensation ordinance requirements and they still don't know what those requirements are.



□ Mr. Scott Hauge, San Francisco Advocates, stated that the advocates have no position on this ordinance, but they are concerned with the process. He stated that they support health insurance for employees. He stated that the small business community has been involved in trying to get health insurance for its employees. He stated that they were very involved in AB 1672 and were also involved in the California health pool as well as with healthy families. He stated that they also tried to bring in Volunteers of Medicine, a program that brings in retired physicians to provide health care for people that do not have health insurance. He stated that he does not believe that the legislation is a complete piece of legislation. He stated that questions remain, for example, how are employees counted. He asked about the waiting period and stated that a newly insured employee can not be added until the next month. He asked about the employer contribution and stated it needs to be discussed what the threshold will be. He stated that he would like to see the Small Business Commission meet jointly with the Health Commission on June 5th to discuss these issues.

□ Ms. Gwendolyn Borden, San Francisco Chamber of Commerce, stated that her concern was not about providing health care, but the process by which this legislation was drafted, and further defining the minimum standards. She stated there are a number of issues that need to be addressed and she would like to have stronger input in the future and perhaps even delay the process. She stated that it was rushed through, meaning that there was no thirty-day rule. She asked the commission to take some action to urge the Health Commission to hold off, and hold public work- group meetings, or to hold a joint commission meeting as suggested previously to discuss these issues.

□ Mr. Harry Alio, past President of the District Merchants Association, stated that he did not oppose the legislation per se, but he did oppose the method by which it was pushed through. He stated that this measure should have gone before the Small Business Commission before the Board of Supervisors took any action. He urged the Board to send this measure back to the Small Business Commission for further review and/or recommendation before any second reading.

□ Ms. Pat Christiansen of Christiansen and Associates, stated that she wish Mr. Kawa was here to hear all these comments. She stated that it is easy to get in touch with small business community in San Francisco in order to arrange meetings for discussion on legislation and proposed legislation. She stated that there are a lot of members of small business organizations that are eager to be a part of any discussion for future legislation that may effect businesses.

Small Business Commission  
for May 24th, 2001

Minutes

□ Ms. Tangerine Brigham stated that she wish to address many of the concerns. In response to Mr. Aranjó's concern regarding an actuary analysis, Ms. Brigham stated that such an analysis would have to be done. She stated that an actuary analysis looks at the population that is being provided healthcare coverage including demographics of the population and attempts to determine what the utilization of services for that population would be. With respect to the additional \$1.50, she stated that the money would go to the Health Department to enable them to provide health services to those individuals who's employer has opted not to provide coverage. With respect to Mr. Pendergast's request for the Health Department to review the final reports from the Forum, she stated that they would clearly want to look at any information regarding access to health insurance for small employers. Finally, with respect to the concerns regarding the process by which this was legislation was pushed through, she stated that she anticipates that the Health Commission would like another hearing on this item, and said that the commission meets twice a month, so she stated that it is likely that they will discuss this issue not only on June 5th , but on June 19th as well. She stated that she would take to her commission the request that was made to have a joint meeting with the Small Business Commission.

- Commissioner Cornell asked why the Health Department did not accept the Volunteers of Medicine program while other cities have accepted it, and asked about medical benefits.
- Ms. Tangerine Brigham stated that it is important to understand that there are several ways to improve access to services, and said that all research has shown that access to services is most improved by giving people health insurance. She stated that the Health Department does not believe that voluntary means should be the sole option, and she stated that she did not believe that they actually rejected the Volunteers of Medicine. With respect to the medical issue, she stated that it is true that some working individuals and some individuals that are disabled get access to care, but she stated that the eligibility that the state has developed is very narrow. She stated that it is important to know that medical does not cover a lot of poor people. She stated that by and large, if you do not have a child, you are single and you are working and healthy, you do not qualify for medical.
- Commissioner Murphy-Reed asked Ms. Brigham if she was familiar with the volunteer medical service program, Volunteers of Medicine. She asked if this program could supplement the insurance program, and asked would she be willing to see the booklet if she had not already.
- Ms. Tangerine Brigham stated that she was familiar with the program when they were first discussing it a couple of years ago. She stated that she did meet with Mr. Hauge and Mr. Katz (Director of the Health Department) and she stated that they supported it but they don't use Health Department physicians, the program has its own physicians. In response to this program serving as a supplementary program, she stated that it could be that there are a number of employees who work for contractors that would be availing themselves of the voluntary physicians when they get coverage through their employer. Finally she added that other city residents who would normally not have access to health care, would benefit from such a program.
- Commissioner Murphy-Reed asked if there are numbers such as percentages of contractors who have healthcare for their employees, and if so, how do the numbers compare to what is being proposed.
- Ms. Tangerine Brigham stated that she did not have specific numbers, but said that they estimate that 16,000 uninsured workers would benefit from the ordinance. She stated that of that, 1,900 work for for-profit contractors, 2,600 work for non-profits, and 5,700 for airport tenants. She stated that the Dept. of Public Health has done their own survey, whereby they found that the larger contractors do provide health insurance to their employees.
- Commissioner Murphy-Reed stated that some of her information states that a lot of contractors actually don't provide health insurance, and she would like the Department of Public Health to look more carefully at this issue. She stated that she is concerned that big contractors are being awarded contracts with the City and bringing in their own employees and the burden falls back on small businesses and the residents of San Francisco.
- Commissioner Mak asked if the contractor must provide health coverage to the subcontractor.
- Ms. Tangerine Brigham stated that the subcontractor would provide their own coverage for their employees if they met the threshold.
- Ms. Miriam Stomblar stated that each contracting party is responsible for providing coverage to its employees or using one of the other options (paying the additional \$1.50 etc). She stated that if there are subcontractors involved, the obligation to comply with the ordinance must be passed on to that subcontractor. In other words, she stated that the ordinance was drafted to include two levels of contracting, the contractor and the subcontractor.
- Commissioner Mak asked that there be an amendment to the ordinance to state that when bidding a job out, the contractor could incorporate the additional cost for having to provide health coverage into the contract.
- Ms. Miriam Stomblar stated that the contractor should be able to include any additional costs in its bid as the cost of providing services to the city or on city

property.

▫ Commissioner Cornell asked how long an employer has before he/she must begin to provide coverage.

Small Business Commission  
for May 24th, 2001

Minutes

▫ Ms. Miriam Stomblar stated that assuming the legislation passes, it would begin to be incorporated into city contracts July 1st; however, she stated that the employers obligation to provide the health benefits option under the ordinance is not triggered until the Health Commission adopts its minimum standards. She stated that on that day the employer would begin to offer benefits or opt to pay the additional \$1.50. She also stated that in cases where the employer pays once a month for example, the hours worked would be added to determine if the employee worked an average of 20 hours per week.

▫ Commissioner Cornell posed a hypothetical scenario, that being, if he was an employer of nineteen seventeen year olds, and one twenty year old, would he be required to provide health insurance under this ordinance.

▫ Ms. Miriam Stomblar stated that all the employees in this scenario would count toward the employee count. She stated that the Director of Purchasing, or if the city creates an office of contract administration, that office would be responsible for administering and enforcing the ordinance.

▫ Commissioner Salma asked about the lease part of the ordinance. He asked about Hetch Hetchy which is outside the limits of San Francisco, but has a lease with the city.

▫ Ms. Miriam Stomblar stated that the definition of a lease in this ordinance states that the property is "city property" if it is within the city limits or jurisdiction of the Airport Commission. She stated that in this case a lease of land up at Hetch Hetchy would not be covered.

Action: Motion on the table to make the following three recommendations to the Board of Supervisors. First, the Commission recommends a joint meeting between the Small Business Commission and the Health Commission to discuss the minimum standards to be set by the Health Commission. Second, the Small Business Commission recommends that it have the opportunity to review the recommendations made by the Health Commission before their implementation. Finally, the Small Business Commission recommends that the Board of Supervisors and the Mayor strongly consider the letter which will be sent to them in the near future, broadcasting the small business community's and the Small Business Commission's concerns regarding the process by which this ordinance was drafted and approved. Commissioner Murphy-Reed seconded. Unanimous approval from the Commission.

Item 14 - ADJOURNMENT

Meeting was adjourned at 6:00 p.m.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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Notice of Meeting & Agenda for Monday, June 11<sup>th</sup>, 2001  
1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

Director – Daniel Hwang

Commission Secretary – Martha Yanez

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation, discussion, and possible action to approve the minutes for the May 14<sup>th</sup> and May 24<sup>th</sup>, 2001 Small Business Commission meeting.*

Explanatory Documents: Draft Minutes from the May 14<sup>th</sup> and May 24<sup>th</sup> meetings.

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration.*

**4. PRESENTATION ON THE MINIMUM BENEFIT STANDARDS TO BE SET BY THE HEALTH DEPARTMENT REGARDING THE HEALTH ACCOUNTABILITY ORDINANCE**

Action Item

[Presentation from Mitch Katz, Director of Public Health, and Roma Guy, President of the Health Commission]

*Presentation, discussion, and possible action to make recommendations to the Health Commission regarding the minimum benefit standard.*

**5. PRESENTATION ON THE FUNCTION AND ROLE OF THE HUMAN RIGHTS COMMISSION**

Discussion Item

[Presentation by Virginia Harmon, Director Human Rights Commission]



**City and County of San Francisco**  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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**6. FUNDING FOR CITY'S SMALL BUSINESS FACADE GRANT PROGRAM**

Action Item

[Presentation from Daniel Hwang, Rick Jacobus of LISC, Ada Chan of MEDA]

*Presentation, discussion and possible action to approve a work order to the Mayor's Office to supplement existing funding for the City's Small Business Facade Grant Program that is administered by the Mayor's Office and the Department of Public Works.*

**7. PRESIDENT'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and Make announcements.*

**8. DIRECTOR'S REPORT**

Discussion Item

*This item allows the Director of OSBA to report on recent small business activities and make announcements. Presentation and discussion on Market Research Study scope of work.*

Explanatory Documents: Draft SF Small Business Market Research Study (request for proposal-scope of work)

**9. NEW BUSINESS**

Discussion Item

*This item allows the Commissioners to introduce new agenda items for future consideration.*

**10. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*

**11. ADJOURNMENT**

*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.



## KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.





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City and County of San Francisco  
**Small Business Commission**



June 11, 2001

*Small Business Commission Minutes for June 11<sup>th</sup>, 2001*

# CITY AND COUNTY OF SAN FRANCISCO

## SMALL BUSINESS COMMISSION

*City Hall*

*1 Dr. Carlton B. Goodlett Place*

*San Francisco, CA 94102*

### MEETING MINUTES

Monday June 11<sup>th</sup>, 2001 5:30 PM

Commissioners Chamber - Room 400

Small Business Commissioners

STEPHEN CORNELL - PRESIDENT

JOSE NAJAR - VICE PRESIDENT

MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,

YASIN SALMA, I.LEE MURPHY-REED

Director - Daniel Hwang

Commission Secretary - Martha Yanez

**Members Present:** Stephen Cornell, Yasin Salma,

I. Lee Murphy-Reed, Jose Najar, Gwen Kaplan,

**Members Absent:** Dick Mak, Marivic Bamba

**Call to order:**

**Item 1 - ROLL CALL**

The Small Business Commission met on June 11<sup>th</sup>, 2001, in regular session. The meeting was called to order at 5:33 PM. Commissioner's Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan, and Jose Najar were present.

**Item 2 - APPROVAL OF MINUTES FOR MAY 14<sup>TH</sup>, AND MAY 24<sup>TH</sup>, 2001 MEETINGS.**

**Action:** Commissioner Murphy-Reed moved to approve the minutes. Commissioner Salma seconded. Unanimous approval from the Commission.

**Item 3 - GENERAL PUBLIC COMMENT**

Mr. Scott Hauge, San Francisco Small Business Advocates, stated that he wish to inform the Commission about a proposal from the Mayor's Office that would provide \$75,000 to the Private Industry Council (PIC) to continue to provide tax information to the small business community. He stated that the issue would go before the Work Force Investment Board, and urged the Commissioners to contact Pamela Calloway of PIC to voice their support for the proposal.

**Action:** No motion, no action taken public comments only.

**Item 4 -PRESENTATION ON THE MINIMUM BENEFIT STANDARDS TO BE SET BY THE HEALTH**

**COMMISSION REGARDING THE HEALTH ACCOUNTABILITY ORDINANCE**

[Presentation from Dr. Mitch Katz, Director of Public Health, and Roma Guy, President of the Health Commission]

Dr. Mitch Katz stated that the ordinance is part of the Mayor's efforts to achieve universal health insurance in San Francisco. He stated that the ordinance requires businesses that have contracts with the City, or are leasing land from the City to provide health insurance for their workers. He stated that employers would be required to provide benefits for an employee working 20 or more hours. Furthermore he stated that if the employer chooses

*Small Business Commission Minutes for June 11<sup>th</sup>, 2001*

(Continued) not to provide health insurance there is another option, that being to pay an additional \$1.50 per hour per employee. He stated that next July the ordinance would require employees working 15 or more hours to receive such benefits. He stated that it may be difficult for employers to provide these benefits, in this case the Health Department has committed to



creating a pool on behalf of the City. He stated that there are four conditions specified in the legislation that the Health Commission would be determining. He stated that one condition would address the question of how soon an employer will be required to provide insurance for the new employee, and said that the recommendation to the Health Commission was that it should be the first day following the first month of employment. He stated that a second issue was the employee premium. He stated that the recommendation to the Health Commission was to take into consideration the going rate in the State when determining this number, and also stated that at least one plan offered to the employee should not have a premium. He stated that the third thing that they were asked to determine was what the benefits should be. He stated that because the services offered by many existing plans were consistent, they went with a standard package. He stated that the fourth condition to be determined by the Health Commission would be what the co-payment would be. He stated that the recommendation was to consider the lower co-payments or point of service charges. Finally he stated that the Health Commission had decided to deal with the recommendations over a two-course meeting because they wanted to encourage public discourse. He stated that this issue would go before the Health Commission again on Tuesday June 19th. He stated that President Roma Guy would be happy to speak on this issue also.

· Commissioner Cornell stated that he wished to reiterate comments from the last meeting of the Small Business Commission. He stated that people were concerned with the way the legislation was pushed through. He stated that he was concerned because the people that will be effected by the legislation were not involved in the process. He also stated that for-profit businesses already pay a San Francisco payroll tax, which goes into the general fund. He stated that he was concerned that the cost of doing business in San Francisco was increasing. He questioned how the legislation could require employers to provide insurance for employees working 15 hours when basic plans do not offer such coverage.

· Dr. Mitch Katz stated that he was not involved in the drafting of the legislation, but stated that as Director of Public Health he supports the legislation. He stated that he believed people, including the Board of Supervisors were aware that it was not a perfect piece of legislation; nevertheless, he stated that it is something that they want to move forward with. He stated that he did not disagree with the concerns of the Commission and the small business community, but said that he could not address that issue any further because the Board of Supervisors had already passed it. He stated that they are aware that it is difficult to get insurance for employees working 20 or fewer hours, and stated that the pool was designed in part for this purpose. He stated that the legislation could be revisited later and amended if needed.

· Commissioner Salma asked if the Public Health system of the City and County of San Francisco would provide care to someone living in San Francisco for just one day.

· Dr. Mitch Katz stated that an address in the county is required, or homelessness is also accepted.

· Commissioner Cornell posed a hypothetical scenario where he, as an employer, opts to pay the \$1.50 per hour per employee, and asked what happens if an employee live in Marin County and does not qualify to get care in San Francisco.

· Dr. Mitch Katz stated that the idea of the \$1.50 extra per hour per employee is to pay for the overall cost of providing health care to the uninsured workers in San Francisco. He stated that although this option will be available, they hope that the employer would choose to provide health insurance.

· Mr. Scott Hauge, a member of the public stated that the matter of this legislation is disconcerting because it is so advanced and said that not much could be done about it now. He asked Dr. Katz if the possibility of amendments to the legislation would also apply to the minimum standards part of the legislation. Furthermore he questioned what would happen in the case where someone is covered under his or her spouse; would the employer be required to provide insurance for the individual who is already covered through his or her spouse. He also questioned the definition of employee, and asked for clarification on this issue. He stated that his

main concern was the lack of discussion and involvement of the small business community and the Commission on this issue.

· Dr. Mitch Katz stated that the question related to the definition of employee would be a legal question and would have to be dealt with in the future, but stated that as he understood it now, the definition of employee would cover someone who works one hour. In response to the second question he stated that the employer would at least have to offer health insurance to the employee and it would be up to the employee to accept the health insurance or to say he/she is already covered under his/her spouse. In response to the first question he stated that the Health Commission was very clear about wanting to evaluate the minimum standards, and they would be willing to review any proposed changes. He invited the President of the Health Commission to speak more on this matter.

*Small Business Commission Minutes for June 11<sup>th</sup>, 2001*

· Ms. Roma Guy, President of the Health Commission, stated that this ordinance is a historic one. She stated that the ordinance had been pushed through by the Mayor's Office and supported 100% by the Board of Supervisors. She stated that the goal of the ordinance is to get health coverage for people who do not have it. She stated that she heard the Small Business Commission's concerns, and said that the Health Commission was willing to work together with the Small Business Commission in the future. She stated that the Health Commission sees this as an opportunity to get coverage for everyone in San Francisco incrementally. She stated that since there was not a lot of planning at the beginning of the process, there should be monitoring and evaluation during the process, and there should be room for changes. She stated that they are committed to getting questions now in order to address them in the future.

· Mr. Paul Pendergast, a member of the public and owner of Pendergast and Associates stated that it is imperative that any Blue Ribbon Task Force that is appointed by the Health Commission include a small business representative on it.

· Mr. Chris Dittenhafer, a member of the public and President of the Council of District Merchants, stated that he would like to reiterate what Mr. Pendergast said. He stated that it would have been nice to be included in the process from the beginning. He stated that he would like to work together on this issue to come up with something that will work. He stated that to get health coverage for people is on the forefront of everyone's mind, and said that given what has occurred it is something that needs to be addressed now, in order to move forward. He stated that he hoped small business groups would be contacted for their input from here on out.

· Commissioner Kaplan stated that most small businesses offer health coverage to their employees and stated that everyone wants and needs health care. However, she stated that she is concerned with the fact that it seems to be getting more and more difficult for a small business to do business in San Francisco. She stated that she is concerned with the business climate in San Francisco.

**Action:** No action taken. Presentation only.

#### **Item 5 - PRESENTATION ON THE FUNCTION AND ROLE OF THE HUMAN RIGHTS COMMISSION (HRC)** [Presentation from Virginia Harmon, Director Human Rights Commission]

· Ms. Virginia Harmon Director of Human Rights Commission, stated that there are three divisions at HRC each of which is responsible for the implementation of a program. She briefly mentioned the following three divisions. The Employment Housing Public Accommodations Division, which is managed by Senior Contract Compliance Officer Frank Anderson, and is responsible for implementing various aspects of the City's non-discrimination ordinances. The

Lesbian, Gay, Bisexual, Transgender, & HIV (LGBT&HIV) division which is managed by Senior Contract Compliance Officer Larry Brinkin, and implements equal benefits ordinances and investigates complaints of discrimination. The Equal Opportunity and Contracting Division, which is managed by three Senior Contract Compliance Officers, one being James Fields. She stated that this division implements the City's MBE/WBE program, and said that there is a certification unit related to the Equal Opportunity division. She asked Mr. Anderson to start with an overview of his division and then the other two to follow.

· Mr. Frank Anderson stated that the Human Rights Commission is 37 years old, and that the original goal of the Commission was and still is, to eliminate discrimination. He stated that many people would agree that the presence of HRC in the City has made a big difference even if it has not completely eliminated discrimination. He stated that changes have occurred in employment, housing, and public accommodation. He stated that each program has a complaint component where they investigate, mediate, and conciliate. He stated that they also develop employment programs in conjunction with community organizations, labor unions, and business people in order to provide equal access to the market place. He stated that many of the programs are developed around areas that the City does most of it's contracting with, such as, the building trade and construction. He proceeded to discuss the Housing aspect of his division, and stated that it is a big problem in the city. He stated that availability of housing and affordable housing are part of the problem. He stated that the problem lies in both the buyer and sellers market, and more specifically in the process of selection. He stated that the process of selection is not always fair and that this is the basis of many complaints. He stated that public accommodation is an area of ongoing complaints, along with evictions. Lastly, he added that there are many advisory committees within HRC that assist in the development of policies and programs.

· Commissioner Cornell asked if there were small business representatives on any of the advisory committees.

· Mr. Frank Anderson stated that there were, and welcomed additional recruits and assistance in finding more.

· Mr. Larry Brinkin stated that he would address the four basic areas that his division (LGBT&HIV) addresses. He stated that one principle program is to enforce the equal benefits ordinance which requires city contractors to provide equal benefits to employees with spouses and those with domestic partners. He stated that they also handle departmental request for waivers in circumstances where a company is the sole source of providing goods or services, and that company is non-compliant, or when there are multiple bidders of which none are compliant.

*Small Business Commission Minutes for June 11<sup>th</sup>, 2001*



· He stated that they conduct workshops for city personnel so that they could understand the equal benefits ordinance, they provide statistical reports to the Mayor and the Board of Supervisors and the public. He stated that there are currently 6,800 businesses in compliance, of which 3,200 actually provide the domestic partners benefit. He stated that they handle complaints of discrimination in public accommodations and in employment, where the category is based on sexual orientation, gender identity of HIV status, and said that they resolve many complaints through the mediation process. He stated that only about 5% of the complaints go to the investigation process. He stated that if the complaint is against a city contractor the Commission could recommend sanctions to the funding authorities including, the revocation of contract, fines, or debarment. He stated that the third thing they do is to provide training for employers who request it, or often times in the settlement of complaints they will provide training to the staff. For example, he stated that they have an excellent training on gender identity that brings about greater sensitivity regarding transgender people. He stated that even in San Francisco a lot of people do not understand this populace. He stated that they also have an "HIV in the Workplace" training and domestic partner issues training and assistance. Finally he stated that they also provide staff to Lesbian, Gay, Bisexual, Transgender Advisory Committee. He

stated that they deal with overall issues of concern to that community.

· Commissioner Cornell posed a hypothetical scenario in which the Health Department is looking to purchase supplies and there are three bidders of which none are compliant. He asked if in this case HRC would be willing to go ahead with one of these suppliers, and asked what percent of city contracts are given waivers.

· Mr. Larry Brinkin stated that they would go along with it as long as the Health Department could show them that they have tried to contact any available supplier that could supply their product. In response to the percent of city contracts given waivers, Mr. Brinkin stated that they get about 30 request for waivers in one month, and stated that they approve about 80% of them. He stated that there has to be a waiver on every contract and many times one company has many waivers. For example he mentioned the IBM Corporation, which is non-compliant, but has many contracts with the City. He stated that for each contract that the city has with them, a waiver is given.

· Commissioner Cornell asked what additional cost the City incurs as a result of such activity.

· Mr. Larry Brinkin stated that there was no mechanism in place to track such data, but as soon as that becomes available a report of findings could be sent to the Commission.

· Commissioner Murphy-Reed stated that she would be interested to know what types of products are given waivers.

· Mr. Larry Brinkin stated that the Health Department requests a lot of waivers for supplies. He stated that in many cases if a part is needed for medical equipment there is usually a sole source of supply for it, typically the supplier of that piece of equipment. He stated that they get a lot of sole source request from the computer industry as well as the construction field.

· Commissioner Murphy-Reed questioned why the City continues to contract with big business such as IBM. She stated that a small business could perform the same service as a big business, and said that small businesses continue to be left out of the process. She stated a case in which a hospital in the City paid nearly 2 million dollars for just a color pallet. She stated that the doctors and nurses of the hospital were actively involved in the process, to the point that these people were making trips and calls to outlying areas to obtain the services that could be provided from a small business in the field. She asked what type of policy service is in place to correct such actions, and to make sure that the staff is doing what they are employed to do, versus doing what someone else is trained to do.

· Mr. Larry Brinkin stated that they are not experts in terms of the contracting needs of other departments. He stated that when a department requests a waiver they have to give justification for the waiver including showing that they have done the proper outreach such as contacting every supplier of the product in the market. He stated that they probably make mistakes and that they don't always know who the suppliers are. In these cases he stated that they rely on the Department heads and trust that the waiver request signed by the Department head is legitimate.

· Commissioner Murphy-Reed asked Mr. Brinkin not to rely on Department heads. She stated that she is not questioning their honesty, but would like to know what other type of proof is given to ensure the waiver is legitimate. She stated that there are ways to obtain the information.

· Mr. Larry Brinkin stated that all they can do is to look at the waiver and the justification that they provide. He stated that often times when they are familiar with the industry, they may call the department and ask them questions about their justification, but stated that they are not involved in the contracting process. He stated that what he would like to do in the future is to develop an auditing function.

· Commissioner Murphy-Reed urged Mr. Brinkin to do something about this problem, and stated that small businesses are being left out of the process. She urged that there be a mechanism in

place by which to prove the justification given on the waiver. She stated that the current process renders a lot of inequities.

*Small Business Commission Minutes for June 11<sup>th</sup>, 2001*

· Mr. Larry Brinkin stated that waivers are given across the board both to big businesses and small businesses. He stated that the waivers he was talking about were strictly for equal benefits.

· Mr. James Fields read a written statement from the certification unit person that was not able to attend the meeting. The written statement mentioned among other things, that the Director of HRC is given the right to certify local Minority Women owned businesses (MWBE) that are economically disadvantaged. He stated that the MWBE program was established in 1984 to correct discriminatory practices that were found in the City's contracting system, and to offset some of the economic disadvantages unique to firms doing business in San Francisco. He stated that economically disadvantaged is established at the following thresholds: Public Works/Construction firms holding a California license A or B @ \$14 million average gross receipts for the last three years. Specialty contractors such as plumbers/electricians and those holding a C license @ \$5 million average gross receipts for the last three years. Materials, equipment and general service suppliers @ \$5 million. Professional service contractors must not exceed \$2 million average gross receipts sales over a three-year period, trucking firms must not exceed \$3.5 million, telecommunication firms must not exceed \$5 million. He stated that a firm must be located within the boundaries of the City and County of San Francisco for the past six months. He stated that the certified firm would receive a 5% discount in the construction projects and a 5% bonus in professional service contracts. He stated that if a firm is minority owned or woman owned it would receive an additional 5% discount or bonus, up to a total of 10 %. He stated that currently there are 779 certified firms, and those that are not in San Francisco are registered with HRC. He stated that these firms could not be used to meet subcontracting requirements for City contracts.

· Commissioner Murphy-Reed stated that the MWBE program sounds like a great one and would be if it were actualy. She stated that many small business people continue to be left out of the process. She stated that due to bundling and lack of HRC staff, some businesses that contract with the City, might not actually qualify under the conditions mentioned above. She stated that as a result of bundling and lack of enforcement by HRC, small businesses are denied an equal opportunity to participate in the process. She requested that HRC review their policies and actually check into the system in order to verify the information given by the bidder, versus accepting the information as the truth.

· Mr. James Fields stated that the HRC Contract Compliance Officer and the potential small business bidders need to forge a closer relationship. He stated that the pre bid period is very competitive. He stated that small businesses (firms) need to let the HRC Contract Compliance Officer know that they will be submitting a proposal(s). He stated that many times small business people tend to do all the contacts themselves and in the process may not contact HRC, and said that it is important to do so.

· Commissioner Murphy-Reed stated that it seems as though the same companies continue to get contracts with the City, so it is as though they are regular City employees.

· Mr. James Fields stated that if someone is seriously considering making a proposal, they should contact HRC and ask for their insight. He stated that in one case, on a proposal at the Airport, an MBE firm contacted HRC, and they looked over their proposal and were able to make recommendations that made it possible for the firm to get the contract. Mr. Fields again recommended that a firm considering to make a proposal and they need a waiver, that the firm contact the HRC Contract Compliance Officer assigned to the contract.

· Commissioner Cornell questioned the thresh hold that establish a firm as economically

disadvantaged. He asked if these numbers were derived from the Human Rights Commission or from some legislation passed by the Board of Supervisors.

· Ms. Virginia Harmon stated that the numbers are contained in Chapter 12D8 of the ordinance passed by the Board of Supervisors and signed by the Mayor, but stated that HRC makes recommendations to the Board of Supervisors, and any changes would occur as legislative changes.

· Commissioner Cornell stated that businesses contracting with the City will sometimes contact his business to get the supplies needed for the job, but said that the contracting firms

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

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**Notice of Meeting & Agenda for Monday, July 9<sup>th</sup>, 2001**  
**1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 400- 5:30PM**  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee Murphy-Reed*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**3 min**

**2. APPROVAL OF MINUTES**

Action Item

*Presentation, discussion, and possible action to approve the June 11<sup>th</sup>, 2001 minutes*

Explanatory Documents: Draft Minutes from June 11<sup>th</sup> meeting

**TBD**

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. UPDATE ON THE RECENT (file no. 010274) AND PENDING (file no. 010826) SAN FRANCISCO BUSINESS TAX LEGISLATION**

**21 min**

Discussion Item

*[Presentation by Susan Leal, Treasurer]*

*Presentation and discussion on the recent and pending S.F. Business Tax Legislation*

Explanatory Documents: Q&A off the Tax Collectors website re: the recent Business Tax Legislation, and Business Tax Simplification Legislation (file no. 010826)

**5. PRESENTATION ON THE DANCEHALL PERMITS ORDINANCE file no. 010845**

**21 min**

Action Item

*[Presentation by Supervisor Chris Daly]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors regarding the Dancehall Permits Legislation*

Explanatory Documents: Revised Dancehall Permits Legislation (file No. 010845)

**6. OVERVIEW OF THE FUNCTIONS OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT**

**22 min**

Discussion Item

*[Presentation from Rich Hillis, acting Director of Business & Economic Development]*

*Presentation and discussion on the Department of Business & Economic Development*

(The time periods listed above refer to "time estimated/allotted for this item")

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3 min

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*Presentation and discussion on the Department of Business & Economic Development*

(The time periods listed above refer to "time estimated/allotted for this item")



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

*Agenda Continued*

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|--|--------|
| <b>7. PRESIDENT'S REPORT</b>   | 4 min  |
| <u>Discussion Item</u><br><i>This item allows the President of the Commission to report on recent small business activities and Make announcements.</i>  |        |
| <b>8. DIRECTOR'S REPORT</b>  | 4 min  |
| <u>Discussion Item</u><br><i>Report and update the Commission on recent OSBA activities, Dave's Bar, and OSBA budget.</i>  |        |
| <b>9. NEW BUSINESS</b>   | 4 min  |
| <u>Discussion Item</u><br><i>This item allows the Commissioners to introduce new agenda items for future consideration.</i>  |        |
| <b>10. GENERAL PUBLIC COMMENT</b>  | TBD    |
| <u>Discussion Item</u><br><i>This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.</i> |        |
| <b>11. ADJOURNMENT</b>   | 30 sec |
| <i>Requires motion and public comment</i>  |        |

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.



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Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

## **DISABILITY ACCESS POLICY**

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Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.





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City and County of San Francisco  
**Small Business Commission**



July 09, 2001

**CITY AND COUNTY OF SAN FRANCISCO**  
**SMALL BUSINESS COMMISSION**

*City Hall*

*1 Dr. Carlton B. Goodlett Place*

*San Francisco, CA 94102*

**MEETING MINUTES**

**Monday July 9<sup>th</sup>, 2001 5:30 PM**

**Commissioners Chamber - Room 400**

**Small Business Commissioners**

**STEPHEN CORNELL - PRESIDENT**

**JOSE NAJAR - VICE PRESIDENT**

**MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,**

**YASIN SALMA, I.LEE MURPHY-REED**

**Director - Daniel Hwang**

**Commission Secretary - Martha Yanez**

**Members Present: Stephen Cornell, Yasin Salma,**

**I. Lee Murphy-Reed, Jose Najjar, Gwen Kaplan, Dick Mak**

**Members Absent: Marivic Bamba**

**Call to order:**

**ITEM 1 - ROLL CALL**

The Small Business Commission met on July 9<sup>th</sup>, 2001 in regular session. The meeting was called to order at 5:33 PM.

**ITEM 2 - APPROVAL OF MINUTES FOR JUNE 11<sup>TH</sup>, 2001 MEETING.**

**Action:** Commissioner Gwen Kaplan moved to approve the minutes. Commissioner I Lee. Murphy Reed seconded. The Commission unanimously approved the minutes.

**ITEM 3 - GENERAL PUBLIC COMMENT**

Mr. Frederick Hobson a member of the public and representative of District 6 Democrats, stated that the three neighborhoods that fall under District 6 do not have the conditional use permitting that other neighborhoods in San Francisco enjoy the benefits of. He stated that this fact has presented a problem by creating the containment zone, which allows certain businesses and activity to continue in certain neighborhoods while not in others. He stated that this practice leads to inequalities and he encouraged the Commission to study and look into this matter so that they may make recommendations to the Board of Supervisors, the Mayor, and the Planning Department.

**Action:** No motion, no action taken public comments only.

**ITEM 4 - UPDATE ON THE RECENT (file no: 010274) AND PENDING (file no. 010826) SAN FRANCISCO BUSINESS TAX LEGISLATION**

[Presentation by Susan Leal, Treasurer]

Ms. Susan Leal stated that recent changes in legislation have been passed by the Board of Supervisors and are outlined on the website at [www.ci.sf.ca.us/tax](http://www.ci.sf.ca.us/tax). She stated that the recent legislation eliminated the gross receipt method of calculating the tax. She stated that prior to the recent legislation, there existed, both a gross receipt method and a payroll method of calculating the tax. She stated that previously the taxpayer was required to take the higher of the two, assuming it was beyond the small business exemption, which was \$2500 of tax liability. She stated that the recent legislation leaves in place the payroll method with the tax rate at 1.5% and the small business exemption at \$2500. She stated that businesses that paid by way of gross receipts last year are entitled to a refund this year. Furthermore, she said that anyone believed to be eligible for a refund, and have yet to receive a notice, should inquire because she stated that the last day to file for the refund is November 26<sup>th</sup>. She stated that

*Small Business Commission Minutes for July 9<sup>th</sup>, 2001*

(Continued) the notice was sent to the last reported address on file with the Tax Collector's Office. In regards to the pending legislation put forth by Ms. Leal, and scheduled to go before the Finance Committee on July 18<sup>th</sup>, she stated that it is meant to change some practices. She stated that currently there are two important dates for business owners, the end of October for registration and the end of February for filing. She stated that pending legislation would change this practice, so that the date to register and file is the same day. The second thing that the pending legislation will address is the small business exemption. She is proposing that it stay the same; however, she stated that currently if you file even a couple days late you loose the exemption. She stated that this practice leads to many requests for waivers, and said that the pending legislation proposes a more gradual penalty system. For example, she stated that what they are proposing is that if your tax liability is less than \$1000, the penalty would be \$100 plus 10% of the tax liability for each month that the return is late. She stated that if the tax liability were more than \$1000 the penalty would be \$250 plus 10% of the tax liability for each month that the return is late. The third change that the pending legislation addresses involves more parking lot operators. She stated that it is directed more at those people in charge of collecting



third party tax. She stated that currently a certificate of authority is required by parking lot operators, and said that the pending legislation would add on to that by saying that the parking lot attendant is liable for the taxes until the certificate of authority is surrendered to the Treasures Office.

· Commissioner Salma asked if a notice of failure to file on time is sent every month that the payment is late.

· Ms. Susan Leal stated that a notice is sent when delinquent status is determined, and said that a second notice is not uncommon, but stated that her office is not equipped to send a notice on a reoccurring monthly basis.

· Commissioner Cornell asked how often the parking lot attendant is required to turn in the parking tax to the City.

· Ms. Susan Leal stated that the parking tax is turned as a monthly payment due to the significant amount of tax.

· Commissioner Murphy-Reed stated that the issue of having two days, one to register and one to file, was a long standing complaint among business owners, and she queried Ms. Leal as to whether October or February had been selected for both filing and registering. She thanked Ms. Leal for addressing the issue.

· Ms. Susan Leal responded that February was chosen.

**Action:** No action taken, presentation and discussion only.

**ITEM 5 - PRESENTATION ON THE DANCEHALL PERMITS ORDINANCE FILE No. 010845 [Presentation by Supervisor Chris Daly, District 6]**

· Supervisor Chris Daly stated that the Dancehall Keepers Legislation which he had introduced, would be heard Tuesday by the Audit Labor and Government Efficiency Committee at City Hall. He reminded the Commission that he had previously introduced motion 01-33 relating to small businesses, and approved by the Board of Supervisors. He stated that he believed that dancing is a freedom of expression and should not be regulated by government. He stated that in the San Francisco Police Code, section 10.22-10.29, there are still laws that require San Francisco's Chief of Police to determine the moral character of small business owners. He stated that under such codes, the Chief of Police could deny permits based on the type of dance that will be offered at a venue. He stated that as a first step, he has introduced this legislation which will exempt holders of public assembly permits and place of entertainment permits (POE), from the dancehall keepers permit requirement. He stated that the process for obtaining permits is often cumbersome and duplicative, and said that the Board of Supervisors Office of Legislative Analyst has found that about 86.5% of all dancehall keepers permit holders also have a POE permit. He stated that the requirements for obtaining a POE permits are significant; including, public notice that requires neighborhood participation and inspection services that ensures public safety. He stated that the requirements are often a significant investment for the proprietor, and said that when the requirements are redundant businesses may be forced to close due to the costs involved. He stated that the legislation would reduce the duplicative nature of permitting, increasing government efficiency and freeing up limited police resources. He stated that amendments to the legislation are being considered due in part to public concern regarding public notification of such permits. However, he stated that presently there are a couple of solutions to be considered. He stated that the Commission could support the legislation and eliminate the duplicative regulations, which are not only not necessary, but also costly. Another solution he mentioned is to support the idea of expanding public notice for public assembly permits while deregulating the act of dancing. He stated that a third possible solution would be to only exempt in cases where the proprietor has a POE permit. He stated that ideally he would like to have the Commissions support and thanked the Commission for their work on increasing the voice of small businesses.

· Sergeant William Coggan with the Legal Division, San Francisco Police Department stated that there are concerns within his department regarding the Dancehall Keepers legislation, and the reason for its' introduction. He stated that the concerns are due in part to the fact that the legislation would only provide a public hearing if someone in objection saw the posting and requested one, and said that the current law guarantees a public hearing. He admitted that the language of the current law is not perfect and said that they would be willing to update it; however, he stated that a second concern relates to the safety of the dancehall patrons. He stated that when

*Small Business Commission Minutes for July 9<sup>th</sup>, 2001*

· (Continued) someone applies for a dancehall keepers permit, his department sends a notice to other departments including by not limited to the Building Inspection Department and the Fire Department so that they could administer their own inspections to determine whether to approve or not approve the permit. He stated that each inspecting department is considering the suitability of the location for the activity and said that he did not believe that such protections would be provided under the proposed legislation. He added that they would be willing to work with the Supervisors to add that clause. He stated that currently the legislation protects the surrounding business and residential communities by considering issues such as; loitering and noise pollution, the impact that it may have on traffic and parking, and by considering how the proposed business fits into the community. He stated that the issue here is not an objection to the proposed legislation, but rather a concern for the effects of it. He stated that they fear that the protections that are provided to the community under the existing police code are not addressed by the removal of it from the code.

· Commissioner Cornell asked if under the proposed legislation, is a hearing granted only when it is requested, and if so, who will hold the hearing.

· Supervisor Chris Daly stated that in an effort to cut down on government bureaucracy he wrote the legislation to say that a hearing is held only if someone objects and requests it. He stated that the Fire Department would hold such a hearing.

· Commissioner Murphy-Reed stated that she was concerned with the increasing amount of restrictions in San Francisco. She stated that many times such restrictions only protect certain people and do not protect her, and she added that she did not see the harm in dancing and did not believe it should be restricted.

· Sergeant William Coggan clarified that they are not trying to restrict the act of dancing, but rather the dancehalls, and the impact that they may have in the community. He stated that the idea is to have safe environments.

· Supervisor Chris Daly stated that he agreed with Commissioner Murphy-Reed's observation that some people benefit while others do not and gave an example of the Fairmont Hotel, which does not have a dancehall keepers permit, but in which dancing occurs. He stated that the requirement for the dancehall keepers permit should be eliminated, and said that his legislation addresses both public safety and community notice without the requirement of the dancehall keepers permit.

· Commissioner Salma asked if both a POE and a dancehall keeper's permit are necessary.

· Sergeant William Coggan stated that if the activity being conducted called for it then both permits were required. He stated that the main concern with the proposed legislation is it's possible adverse effect on public safety.

· Mr. Nick Fynn, a member of the public representing San Francisco's Late Night Coalition, stated that it is their view that the dancehall keepers permit is a duplication of regulations already on the books. He stated that a POE permit is required in the following events: live music, disc jockey, theatrical performance, and puppet show to name a few. He stated that most of the

protection and safety issues in question, are provided by the POE permit, as is the public notice and public hearing. He stated that the Police Department has the right to deny the POE based on any non-compliance with health, zoning, fire, or safety issues. He stated that the POE permit specifies that the location must be appropriate for the type and volume of vehicle and pedestrian traffic. He stated that the language of the POE permit states that the place must be compliant with respect to noise, glare, dust, odor, or anything that substantially interferes with the public health, safety, welfare, or the peaceful enjoyment of neighboring property. He stated that this language is not found in the dancehall keepers' permit, and said that he wished to remove the fallacy that if you remove the dancehall keepers' permit you eliminate protections for the neighborhood.

· Mr. Frederick Hobson, Rent Board Commissioner and a member of the public stated that he agrees the current ordinance is duplicative; however, he strongly disagreed with the notion that it does not offer additional protection. He stated that it offers a layer of bureaucratic protection for residents of neighborhoods such as Tenderloin, Downtown, and parts of South of Market, which don't have conditional use permits. He stated that it requires business, many of which are late night entertainment venues to go an extra step, while affording them additional protection. He stated that although Supervisor Daly is moving in their direction with the ten-day notice five-day response, it is not enough. He stated that Supervisor Daly should consider some of the work done by Supervisor Alicia Becerril last summer, which would have created late night zoning requirements. He stated that he would object to the removal of the legislation, no matter how bureaucratic, until a better replacement could be introduced. He asked the Commission to send a message to the Board of Supervisors to delay action on this until Supervisor Daly or some other entity puts an ordinance together, or carries Alicia Becerril's legislation (file 1547-November 2000) which offers the protections that they want.

· Ms. Leslie Aires, a member of the public and San Francisco's Late Night Coalition stated that she is and has been a regular patron of clubs and said that the permitting process is redundant. She stated that a year ago the City's Grand Jury issued a report that said that the permitting process was managed and enforced by the Police without consistency and that the businesses suffered as a result. She stated that the proposed legislation gets rid of the redundancy.

#### *Small Business Commission Minutes for July 9<sup>th</sup>, 2001*

· Ms. Linda Majelum, a member of the public, and Executive Director for the Union Square Association, stated that her organization serves a thirty-two-block area of downtown, and is a member of the Council of District Merchants. She stated that they are concerned with the proposed legislation and said that she did not believe it was just about dance. She stated that it was about changing processes that eliminate public input when it may be necessary. She stated that regulations are needed and said that they are not against making the law more efficient, but neighborhood input should be allowed. She urged the Commission to wait to see what the final legislation looks like before taking action, but cautioned the Commission that the legislation will not do what it proposes.

· Mr. Phillip Fave, a member of the public and of the Union Square and Polk Street District Merchants Associations. He stated that he is a former small business owner in the Tenderloin, and said that the description of the problems of obtaining permits is exaggerated. He stated that at one point he had every permit that the police could dream up and said that there are ways around it, "it is not rocket science". He stated that it could, and should, be done for the good and safety of the people.

· Mr. David Overdorf, a member of the public and a resident of District 6, stated that dancing is not the problem. He stated that the purpose of police permitting is not to make dancing more difficult, but to determine the suitability of the dancehall. He stated that there are currently 222 dancehall keepers permits on file, a fact that contest that dancing is becoming increasingly regulated. He stated that the problem is that some neighborhoods continue to get over saturated with the same type of business, most commonly liquor stores and bars. Furthermore he stated that the neighborhoods that will be affected the most by the proposed legislation have not been given an opportunity to participate in the process. He said that they have not been given the

opportunity to sit down with Supervisor Daly, or the Police Department's permit division, to work out a sensible piece of legislation.

· Mr. Jeffrey Leibovitz, a member of the public, member of the Redevelopment Agency's Rincon Point/South Beach SAC, and a resident of District 6, stated that his main concern is that there was no meeting with the community on this issue. He stated that Supervisor Daly with his proposed legislation is attempting to gut the police code of some very important oversights including neighborhood input and suitability. He stated that he is a landlord, and under rent control regulations, he has the responsibility to ensure his tenants have a peaceful, nuisance free environment. He added that he could be sued if a nuisance occurs and he does nothing about it, and said that the police code allows him the input he needs to protect himself and his tenants. He stated that he has a responsibility to his tenants, and the Commission has a responsibility to the citizens of San Francisco, and suggested that the Commission not favor the proposed legislation as it stands, or wait until it could be revised.

· Mr. Terrence Allan, a member of the public and Chair of the Late Night Coalition, stated that he owns and operates a business in the Tenderloin. He stated that the statement made by Sergeant William Coggan, that the police code does not regulate the act of dancing, but rather the dancehall, is not accurate. He stated that he has been in several bars in San Francisco when the police has come in and asked that they stop dancing because there is no dancehall keepers permit on file for the venue. He stated that up until recently, the Castro was allotted only one dancehall keeper's permit, which created an unfair advantage to that one proprietor. He stated that what had been discussed thus far was a combination of reality and slippery slope arguments, and asked the Commission to endorse the proposed legislation which he said was an intent to create intelligent government and rid redundancy.

· Mr. Robert Garcia, a member of the public and President of Save our Streets Tenants of Merchant Associations, stated that dancing is a subject matter and not the issue. He stated that permitting could not be taken away from the San Francisco Police Department and expect the entertainment and dance industry to regulate. He said that there would be too much room for wrongdoing and improper behavior. He stated that this would effect not only District 6, but also rather, the entire city. He stated that citizens have a right to a decent environment and that Supervisor Daly has the burden of proof that by amending code 10.23 there will be no degradation of the environment by noise, sanitation problems, parking congestion, illegal drinking of alcohol, and/or drug and safety concerns. He stated that the difference between entertainment and place of assembly is the occupancy load, which is what Fire is mainly concerned with. He stated that permitting is needed, and urged the Commission to review the legislation carefully.

· Mr. Peter Glikstern, a member of the public and a small business owner in San Francisco, stated that a public hearing is required as is inspections from Fire, Building (including Electrical Inspection Division and Disable Access Division), Health, and the Police Departments Noise Abatement Unit, in obtaining a POE permit. In response to Mr. Hobsons assertion that this permit provides extra protection, he stated that a venue that applies for a dancehall keepers permit will always require the POE permit under which the protection is already required. In response to a statement referring to an over abundance of bars in an area, he stated that bars do not require a dancehall keepers permit. He stated that the protection of neighborhoods is better served through zoning laws and regulations. He stated that he believes that word protection is being used as a euphemism for NIMBYism (not in my back yard), and said that he hoped that the Commission would endorse the legislation.

· Mr. Oliver Peridy a member of the public stated that he moved to San Francisco from Texas mainly for work, but also because of progressive nature. He stated that he started an email list, which targets people who like to go out

*Small Business Commission Minutes for July 9<sup>th</sup>, 2001*

· (Continued) dancing, and said that he was surprised to find out that dancing is regulated in the San Francisco Police Code. He stated that he believes that Supervisor Daly's legislation will

address this issue and restrict the police from deciding issues of morality.

- Commissioner Cornell asked if POE permits take into account other nearby permits, or proximity to bars facilities.

- Supervisor Chris Daly answered the question by reading what each permit entails (see attached document).

- Sergeant William Coggan stated that there are differences between the two, and said that there are proprietors with dancehall keeper permits that do not have a POE permit. Another difference mentioned is that a POE permit is protected by the first amendment and can only be suspended, while a dancehall keepers permit can be revoked. He stated that if a business fits the zoning of the area, the Chief of Police can not deny a POE permit even if the area is saturated with that type of business; however, the Chief could deny a dancehall keepers permit based on suitability for the neighborhood.

- Commissioner Najar stated that the Commission was created to preserve small businesses. In response to Mr. Fave's comment, he stated that it has gotten more difficult to get permits, and thus harder for small businesses to do business in San Francisco, and said that this was the main reasons that the Commission was created. He moved to approve the legislation in theory and said that he hoped to continue to work with Supervisor Daly's office in trying to draft the legislation.

- Commissioner Cornell stated that generally he agreed with the legislation, but said that he would like it to include more public notification. He stated that a hearing be required regardless if it is requested or not requested.

**Action:** Commissioner Jose Najar moved to support Supervisor Daly's legislation in theory, with the amendment that a public hearing be mandatory. Commissioner Kaplan seconded. The Commission approved the measure with the amendment with a five to one vote. Commissioner Salma opposed the measure.

#### **ITEM 6 -OVERVIEW OF THE FUNCTIONS OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT**

- Commissioner Cornell stated that this item would be continued until the next meeting.

#### **ITEM 7 - PRESIDENT'S REPORT**

- Commissioner Cornell stated that OSBA/SBC had recently gone before the Budget Committee to discuss the budget and request three full time positions. He stated that the Budget Committee did not approve the third position. He stated that the issue would be heard by the full Board in the near future, and encouraged the Commission and the small business community to voice their support for the budget. On a different topic, he stated that he would be speaking at a press conference on Wednesday to announce and promote "Energy Boosters", an \$8 million energy conservation program for San Francisco's small businesses.

#### **ITEM 8 - DIRECTOR'S REPORT**

- Director Daniel Hwang stated that he had met with Mr. Dave Supple of Dave's Bar and said that he was being tagged by the Department of Building Inspection. He stated that he is in contact with DBI and the case is being reviewed. He too mentioned that the third position being sought was not approved. He encouraged the Commissioners to contact the Supervisors to discuss this issue with them and encourage them to support the third position. He stated that OSBA staff had compiled a log of the number of phone call, walk-ins, and appointments recorded on a daily and monthly bases. Also included was a list of the types of questions being asked.

- Mr. Scott Hauge a member of the public and President of Small Business Advocates, stated that

they would be actively supporting the OSBA budget, and would make this know to the Supervisors in their meetings with them.

#### ITEM 9 - NEW BUSINESS

· Commissioner Murphy-Reed requested that the Commission invite Mr. Mike Ward from Purchasing to speak at the next meeting, and Ms. Judy Wong of Purchasing to speak at the following meeting.

#### ITEM 10 - GENERAL PUBLIC COMMENT

· Mr. Scott Hauge stated that there would be a press release on Wednesday to announce "Power Boosters", an \$8 million dollar program to be launched by the Department of the Environment and Mr. Cal Broomhead who has worked diligently on the issue, and should be recognized by the Commission. He stated that the program would assist small businesses through the energy crisis. He encouraged the Commissioners to attend the press conference, and he thanked Mayor Willie L. Brown Jr. and Ms. Loretta Lynch, President of Cal PUC.

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#### ITEM 11 - ADJOURNMENT

**Action:** Commissioner Gwen Kaplan moved to adjourn the meeting. Commissioner Salma seconded. Meeting was adjourned at 7:33 p.m.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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**Notice of Meeting & Agenda for Monday, August 13<sup>th</sup>, 2001**  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 400- 5:30PM

**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I. Lee Murphy-Reed*

Director – Daniel Hwang

Commission Secretary – Martha Yanez

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

3 min

Action Item

*Presentation, discussion, and possible action to approve the July 9<sup>th</sup>, 2001 minutes*

Explanatory Documents: Draft Minutes from July 9<sup>th</sup>, 2001 meeting

**3. PRESENTATION OF CERTIFICATE OF APPRECIATION TO DEPUTY CITY ATTORNEY ADINE VARAH FOR HER CONTINUED COMMITMENT AND SUPPORT OF THE SMALL BUSINESS COMMISSION. INTRODUCTION OF DEPUTY CITY ATTORNEY DAVID SHIPPER**

10 min

Action Item

*[Presentation by Stephen Cornell, President SBC, & Daniel Hwang, Director OSBA]*

**4. GENERAL PUBLIC COMMENT**

TBD

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**5. SMALL BUSINESS COMMISSION TO ENDORSE "POWER BOOSTERS"**

20 min

Action Item

*[Presentation from Scott Hauge, SF Advocates & Cal Broomhead, Department of the Environment]*

*Presentation, discussion, and possible action to endorse Power Boosters, program targeting small business energy needs*

**6. OSBA'S REQUEST FOR APPROVAL OF THE REQUEST FOR PROPOSAL OF A MARKET RESEARCH STUDY OF BUSINESSES LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO**

15 min

Action Item

*[Presentation from Daniel Hwang, Director Office of Small Business Affairs]*

*Presentation, discussion, and possible action to approve the request.*

Explanatory Documents: Request for Proposals

(The time periods listed above refer to "time estimated/allotted for this item")





**City and County of San Francisco**  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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|--|--------|
| <b>7. OSBA'S REQUEST FOR APPROVAL OF A MONTHLY NEWSLETTER</b>  | 10 min |
| <u>Action Item</u>   |        |
| <i>[Presentation from Daniel Hwang, Director OSBA &amp; Stephen Cornell, President SBC]</i>  |        |
| <i>Presentation, discussion, and possible action to approve the request.</i>   |        |
| <b>8. PRESIDENT'S REPORT</b>   | 4 min  |
| <u>Discussion Item</u>   |        |
| <i>This item allows the President of the Commission to report on recent small business activities and make announcements.</i>  |        |
| <b>9. DIRECTOR'S REPORT</b>  | 4 min  |
| <u>Discussion Item</u>   |        |
| <i>Report and update the Commission on recent OSBA activities.</i>   |        |
| <b>10. NEW BUSINESS</b>  | 4 min  |
| <u>Discussion Item</u>   |        |
| <i>This item allows the Commissioners to introduce new agenda items for future consideration.</i>  |        |
| <b>11. GENERAL PUBLIC COMMENT</b>  | TBD    |
| <u>Discussion Item</u>   |        |
| <i>This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.</i> |        |
| <b>12. ADJOURNMENT</b>   | 30 sec |
| <i>Requires motion and public comment.</i>   |        |

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

(The time periods listed above refer to "time estimated/allotted for this item")



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1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
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The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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City and County of San Francisco  
**Small Business Commission**



August 13, 2001

**CITY AND COUNTY OF SAN FRANCISCO**

**SMALL BUSINESS COMMISSION**

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

**MEETING MINUTES**

**Monday August 13th, 2001 5:30 PM**

Commissioners Chamber Room 400

Small Business Commissioners

STEPHEN CORNELL - PRESIDENT

JOSE NAJAR - VICE PRESIDENT

MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,

YASIN SALMA, I.LEE MURPHY-REED

Director Daniel Hwang

Commission Secretary Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Dick Mak Members Absent: Marivic Bamba, Jose Najjar

Call to order:

**ITEM 1 - ROLL CALL**

-The Small Business Commission met on August 13th, 2001, in regular session. The meeting was called to order at 5:32 PM.

**ITEM 2 - APPROVAL OF MINUTES FOR JULY 9TH, 2001 MEETING.**

-Commissioner Murphy-Reed stated that there was a revision to the July 9th minutes, Item 4. She clarified that Ms. Leal had stated that February would be the date to register and file with the tax collectors office.

Action: The Commission unanimously approved the minutes with the revision.

**ITEM 3- PRESENTATION OF CERTIFICATE OF APPRECIATION TO DEPUTY CITY ATTORNEY ADINE VARAH FOR HER CONTINUED COMMITMENT AND SUPPORT OF THE SMALL BUSINESS COMMISSION. INTRODUCTION OF DEPUTY CITY ATTORNEY DAVID SHIPPER.**

-Deputy City Attorney Adine Varah stated that she wished to introduce David Shipper the new Deputy City Attorney to the Small Business Commission. She stated that Mr. Shipper has been with the City Attorney's office for two years and is an outstanding deputy. She stated that he has extensive experience in contract and grant issues that the Commission deals with, and stated that she believed that it was a great fit, and stated that he will be attending the meetings on an as needed basis.

-Commissioner Cornell presented Ms. Varah with a Certificate of Appreciation plaque and stated that she had been with the Small Business Commission since it's inception.

Action: Presentation of Certificate of Appreciation, and introduction of Deputy City Attorney David Shipper.

**ITEM 4 -GENERAL PUBLIC COMMENT**

-Ms. Sharon Miller a member of the public and from Renaissance Entrepreneurship Center thanked the Commission for supporting the Bayview Small Business Resource Center. She stated that Cleatis Young has been hired as the manager for the center, and said that he brings to the center 15 years of experience as a small business owner as well as being raised in the Bayview.

-Mr. Cletis Young stated that he's looking forward to exciting times in the Bayview and said that he hoped to see all the Commissioners at the grand opening of the resource center. He stated that the center would be opening soon, although a specific date was not selected yet. He stated that currently a new computer system was being installed and some touch up would be necessary before opening. He thanked the Commission for their support

and said that they will see great results and that they would keep the Commission posted.

-Commissioner Kaplan asked what the opening date would be.

-Ms. Sharon Miller stated that the date would be the beginning of October.

-Mr. Scott Hauge a member of the public and speaking on behalf of Job Networks, Welfare to Work Program, put together by the Small Business Network. He stated that they are taking on a couple of additional tasks those being career development and foster care children. He stated that Bayview/Hunters Point has the highest percentage of foster care children in the United States, and thus there is a definite need for the program. He stated that he wished to update the Commission on the recent developments of the program because of the \$110,000 that the Commission sponsored to the program. He thanked the Commission for their contribution, but stated that they also need their help in being mentors. He stated that mentors are needed to meet with group of foster care people to offer them the small business

perspective, and said that he hoped that the Commission would consider this in the future.

Action: No action taken, presentation and discussion only.

**ITEM 5 -PRESENTATION ON THE PROPOSED BUSINESS & TAX REGULATIONS CODE (FILE NO. 011238 & 011407)** [Presentation by Supervisor McGoldrick and/or Supervisor Ammiano]

-Commissioner Cornell stated that this item was being pulled from the agenda and apologized for any inconvenience this may have caused. He stated that there was scheduling conflicts.

**ITEM 6 -SMALL BUSINESS COMMISSION TO ENDORSE "POWER BOOSTERS"**

[Presentation from Cal Broomhead, Department of the Environment]

-Mr. Scott Hauge of the San Francisco Advocates asked the Commission to endorse the "Power Boosters" Program. He reminded the Commission of the Advocates efforts to address the energy problem in San Francisco and to help small businesses lower their energy usage. He mentioned the \$8 million grant that had been awarded to help this cause. He recommended that the Commission put together a letter of gratitude for Ms. Loretta Lynch who helped in the effort as well.

-Mr. Cal Broomhead stated that Scott Hauge and the Advocates also played an integral part in the securing of the \$7.8 million along with the many other people who had helped out in the development stages years ago, such as Stephen Cornell and Gwen Kaplan. He thanked everyone for all their efforts and said that it was a combination of factors that allowed Scott, himself and others to put forth the proposal that secured the grant. He stated that currently a consultant has been contracted for audit, design, and construction management services for energy retrofits. He stated that this consultant is already on contract with the Department of Public Works (DPW), and performs such services for city facilities. He said that everyone has agreed that it was OK to do that for a limited scope/pilot project in small businesses in private sector buildings. He stated that they are moving forward with that and said that on Thursday everything will be signed off and they could begin the program development and design process.

-Mr. Cal Broomhead stated that last Wednesday they held a bidders meeting for an RFP for \$6.75 million to operate the program and provide incentives for 4000 businesses and to oversee the installation of the construction. He stated that the bids are due August 24th. He stated that the review and selection process should occur on the first or second week of September. He stated that the pilot program will only cover 40 business sites, but stated that in January they will be implementing the full program and hope to cover 400 business sites. He stated that the schedule that they have with the PUC states that the program would conclude June 30th, 2003.

-Mr. Cal Broomhead stated that they have less than 18 months to deliver the service to about 6,000 businesses to get audits and about 4,000 to get installations. He stated that they will try to add to the program in two ways, one being that they are developing an information channel by reaching out to 6,000 businesses, going out door to door, face to face. Furthermore he stated that they would try to add heating/ventilation/air conditioning and refrigeration to the existing lighting retrofit contract with the state. A third add on he mentioned was that they will be going after particular areas of the city, neighborhood business districts, certain blocks of downtown areas, and said that they would only be able to reach 13% of the city. He stated that 87% of businesses will not even be offered the service, and said that the Commission could help decide whom that 87% would be. He stated that the decision would be a political one and one at which not all will be happy with.

-Mr. Cal Broomhead stated that selection criteria will need to be determined and input from many people will be necessary, assuming that everyone will want to be a part of the program. He stated that he would like to begin to think of implementing a citywide fee for service program that would be all inclusive. He stated that he would like someone from the Commission to help him review the responses to the RFP's. He stated that it may be a lot of work but said that he would like Commission

participation on this issue. He stated that he would also like a Commission member to serve on an advisory committee that is being established which would be providing

guidance on how to design the program. He stated that he would be coming back to the Commission to provide updates and to get suggestions.

-Commissioner Salma asked how the 40 businesses for the pilot program would be selected.

-Mr. Cal Broomhead stated that he did not know, but said that his first thought would be to implement the pilot by his home, where he shops, because if there was a problem he would hear about it. He stated that his second thought was to do it by his work, which is mid-market area and there is a mix of retail and office.

-Commissioner Salma asked if the 40 businesses have to be in the same area.

-Mr. Cal Broomhead stated that they have to be in the same geographic area, and said that there are benefits to it.

-Commissioner Salma asked if the participants would be responsible for any fees.

-Mr. Cal Broomhead stated that they would be responsible for paying for the construction cost only, but would not be responsible for other cost such as auditing, construction management, marketing, quality control/assurance, and verification monitoring. He stated that they have included a budget for incentives, and match or do something very equivalent to the rebates that are offered through PG&E.

-Commissioner Cornell stated that he was concerned that some Subcontractors would be left out of the process because after having attended the meeting last Wednesday, he got the impression that some General contractors only work with certain subcontractors. He questioned if there was a way of publicizing the name of the General Contractors that would be bidding on the job, so that if a Subcontractor was interested, they could contact the General Contractor and make that be known to them.

-Deputy City Attorney David Shipper stated that he would look into the matter and report back

-Commissioner Murphy-Reed stated that the above mentioned problem does not only affect new businesses, but is a long-standing problem faced by many small business owners. She stated that General Contractors continue to use the same Subcontractors, and she feels that this practice is too damaging to other small business owners.

-Mr. Cal Broomhead stated that this program stems from a fairly new idea and said that there are not many companies that do this type of work.

-Commissioner Murphy-Reed thanked him for his comments and stated that she would like them to consider the fact that everyone started from somewhere.

-Commissioner Cornell stated that he would let Mr. Broomhead know which of the Commissioners would help review the responses to the RFP and serve on the committee.

Action: Commissioner Kaplan motioned to endorse the Power Boosters Program and to be part of it. Commissioner Salma seconded. Unanimous approval from the Commission.

#### ITEM 7 - OSBA'S REQUEST FOR APPROVAL OF THE REQUEST FOR PROPOSAL OF A MARKET RESEARCH STUDY OF BUSINESSES LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO

[Presentation from Director Daniel Hwang]

-Director Daniel Hwang briefed the Commission and the public of the purpose of the Market Research Study of Businesses in San Francisco, saying that this type of information was either not available or not available in one location, but rather some information here and there, and/or outdated. He stated that the RFP was a draft and said that he hoped the Commissioners had a chance to look it over so that changes could be made and voted on at the present meeting. He stated that he would like to get it out and made available to the public on Wednesday. He stated that page 5 of



the RFP contained a schedule and stated that these dates are important to keep in mind. He stated that he would like there to be three proposals to seriously consider and said that the panel to review the proposals should include two Commissioners and himself.

-Commissioner Cornell questioned if the experience requirement listed in the RFP might preclude many small businesses that may want to bid on the RFP.

-Director Daniel Hwang stated that it would not preclude small businesses due to the minimum qualification listed on page 4, which states that the proposer must be a business operated and located in the City and County of San Francisco.

-Deputy City Attorney David Shipper stated that he has seen provisions in bids and RFP's that states that a business that is located in San Francisco would be more capable of performing under the RFP. He stated that he was not sure if such a provision was present in this RFP or whether it would matter if they were located here or not. He said that he would have to go back and look at the RFP before it is listed as a minimum qualification. He stated that as a minimum qualification, it would eliminate anyone not meeting that criteria, and said that he would like to double check before it goes out as is.

-Commissioner Cornell asked if there were enough people who meet the minimum qualification criteria, would that be reasonable enough to leave in.

-Deputy City Attorney David Shipper stated that he had a problem with a company not located in the City not being able to bid on it. He stated that he would need to check, but he believed that the criteria seemed to contradict or if not, at least conflict with the HRC idea of giving a preference to a locally owned business.

-Commissioner Cornell asked if there are provisions stating that bidding could be restricted to for profit businesses.

-Deputy City Attorney David Shipper stated that he would need to get back to him on that question, he would have to check.

-Commissioner Kaplan stated that she would be very upset if a locally owned business was not awarded the contract to do the Market Research Study.

-Commissioner Murphy-Reed stated that she was also concerned about the above mentioned scenario, and asked what was meant by the statement that the proposing teams may suggest a modified scope as part of their proposal.

-Director Daniel Hwang stated that the statement is intended to allow for creativity. He stated that since it is the office's first time drafting an RFP, some of the specifics might be better left to those that do this type of research.

-Commissioner Murphy-Reed referring to page 1 item II #1 of the RFP, stated that she believes there should be more specificity when stating other information. She stated that if the Commission want the study to include racial & ethnic breakdowns, it should specify it. She stated that this type of information is not currently readily available, and believes it would be better to be more specific and not group it under Other. She also stated that she would like the study to address staffing needs. She pointed out the use of the word must instead of may on page 2 item III A. On page 3, item III B 4 (a), she asked, do we not want to add and San Francisco HRC Certified. Referring to III. B 4 (b) on the same page, she suggested that it read as follows: Provide a description of the experience and qualifications of the project team member, including certification and brief resumes if necessary. Referring to item 8 on page 10, she stated that the term minority is not specific enough, and added that everyone is a minority. She requested that the Director make it more minority specific.

-Commissioner Salma stated that he does not see how the RFP would be limited to local businesses. He stated that there already exist many preferences for locally owned businesses and cited the 5% & 10% preference given to local businesses. He stated that he does not think it could be legal to exclude outside of San Francisco businesses.

-Commissioner Cornell stated that the 5% and 10% preferences are not given across the board to all locally owned or women owned businesses. He stated that to get such

preferences, your gross receipts must be less than 2.5 million dollars.

-Director Daniel Hwang suggested that he would check with the Deputy City Attorney to find out what was legal, and if possible exclude businesses not from San Francisco, otherwise, he stated that it would be necessary to revise the RFP.

-Commissioner Cornell stated that it is the Commissions first time soliciting an RFP and he apologized for the minute details.

-Mr. Scott Hauge, a member of the public asked if this information is available on the website. He stated that this was the first time he had seen the RFP and suggested that it be made available to the public prior to the meeting. Referring to the selection criteria on page 4, he stated that he did not see it formalized that the Small Business Commission has to be part of the committee to select the proposer. He stated that he would like to see that in the language, that members of the Commission be involved in the review process. He asked about the 3 people reviewing the proposals, and questioned if these three people would be the same as the 3 people conducting the oral interviews.

-Director Daniel Hwang stated that the people reviewing the proposals would be the same people interviewing.

-Ms. Sharon Miller stated that this was a wonderful project, and something that has been brought up at Renaissance. She asked how the information would be available once it is compiled.

-Commissioner Cornell stated that the aggregate information will be available, but not specifics about businesses and their gross revenues. He stated that it would not be available as a database.

Action: Unanimous approval from the Commission to approve the RFP.

#### ITEM 8 -OSBA'S REQUEST FOR A MONTHLY NEWSLETTER

[Presentation from Director Daniel Hwang & President Stephen Cornell]

-Commissioner Stephen Cornell stated that he and Daniel had attended a meeting, at which point they decided on publishing a monthly newsletter for the OSBA/SBC office. He stated that the newsletter would be simple and versatile, easily reproduced. He stated that the newsletter would act as a clearing house and include information such as meeting times, a brief description of items discussed at the prior meeting, legislation being reviewed by SBC, and a brief update of OSBA/SBC budget. He stated that the vision is to have this newsletter out once a month, but keep it simple.

-Director Daniel Hwang stated that the idea is to keep it simple, and he would like for it to be available the first weekday of each month. He stated that if organizations working close with OSBA/SBC have items that they wish to publish in the newsletter, the deadline to submit such information would be the 15th day of the month prior. He stated that the newsletter would be available at city hall and other city departments such as DBI and Tax

Collectors office as well. Furthermore he stated that it would also be distributed to the people on the agenda contact list via fax or email. He stated that the target date for the first newsletter to be out would be October 1st

-Commissioner Kaplan stated that she would like the newsletter to be available at all city departments.

-Commissioner Murphy-Reed stated that she would like important information affecting small businesses included in the newsletter, such as the dates to register and file your business with the Tax Collectors office and so forth.

-Mr. Scott Hauge a member of the public and President of Small Business Advocates, stated that he applauds the Commission for their efforts, but stated that he is concerned that a monthly newsletter may be too much to start with. He stated that it is an aggressive schedule and once started you must continue.

-Commissioner Salma agreed with Mr. Hauge, and stated that the Commission should consider a quarterly newsletter.

Action: Commissioner Kaplan motioned to approve a quarterly newsletter to become a

monthly newsletter. Commissioner Salma seconded. Unanimous approval from the Commission.

#### ITEM 9 -PRESIDENT'S REPORT

-Commissioner Cornell stated that he wished to recognize Ms. Syndi Seid, the new President of the Small Business Network, which is a group of small businesses made up of 20 members who together represent about 20,000 businesses. He stated the importance of the Commissioners attending the Commission meetings and implored them to attend. He stated that the SBC/OSBA has completed another year, and informed the Commission that he and Daniel will be working on an annual report to be submitted to the Mayor in the near future.

#### ITEM 10 -DIRECTOR'S REPORT

-Director Daniel Hwang stated that OSBA will be implementing Open Door Day similar to the Mayor's Open Door Day, which allows people to come and speak to him on a walk-in basis. He stated that Open Door Day would begin on September 5th and continue every first and third Wednesday of the month. The first Wednesday of the month the time allotted will be 9:30 AM-11:30 AM, and 2:30 PM-4:30 PM on the third Wednesday of the month. He stated that the purpose of the time differences is to be accessible to more people. He stated that he hopes to have representatives from other city departments such as DBI, DPT, or Purchasing, as well as other organizations such as Renaissance and PIC, present to help answer questions. He stated that he would also like to see some of the Commissioners attend Open Door Day.

#### ITEM 11 -NEW BUSINESS

-Commissioner Salma requested to invite representatives from the various small business organizations throughout the city. He stated that OSBA should begin to notify such organizations about the next SBC meeting next week so that they may plan on attending. He stated that the Commission should hear from these people and their concerns regarding police problems, street cleaning, and other such related issues that small businesses deal with.

-Director Daniel Hwang suggested that OSBA could send out a notice to the various small business associations and wait for responses and go from there.

-Commissioner Murphy-Reed asked about the status of the informational brochures to be placed in the rotunda on the first floor at City Hall.

-Director Daniel Hwang stated that OSBA has been following up with the request to include OSBA/SBC information among the information currently found at the rotunda. He stated that Administrative Services, is in charge of the up keeping of the information, and informed the Commission that it is currently in the process of updating the brochures. He stated that OSBA information would be included once the update is complete and the timing for that would be the beginning of October.

#### ITEM 12 -GENERAL PUBLIC COMMENT

-Ms. Syndi Seid, President of the Small Business Network thanked the Commission for their recognition and said that she was happy to be there. She invited and encouraged the Commissioners to attend an energy forum on Wednesday August 22nd at the Palace of Fine Arts from 5:30PM-8:00PM regarding the proposed Potrero Hill Power Plant.

#### ITEM 13 -ADJOURNMENT

Action: Commissioner Salma moved to adjourn the meeting. Commissioner Murphy-Reed seconded. Meeting was adjourned at 7:00 p.m.



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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PUBLIC LIBRARY

**Notice of Meeting & Agenda for Monday, September 10, 2001**  
**1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 400- 5:30PM**  
**SMALL BUSINESS COMMISSION**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

1. **ROLL CALL**  
*Call of roll of the Small Business Commissioners*
2. **APPROVAL OF MINUTES** 3 min  
Action Item  
*Presentation, discussion, and possible action to approve the August 13<sup>th</sup>, 2001 minutes*  
Explanatory Documents: Draft Minutes from August 13th, 2001 meeting
3. **GENERAL PUBLIC COMMENT** TBD  
Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*
4. **PRESENTATION FROM SMALL BUSINESS ORGANIZATIONS** 20 min  
Discussion Item  
*Presentation and discussion to hear the specific concerns of the small business community and the various organizations that work closely with the small business community.*
5. **PRESIDENT'S REPORT** 4 min  
Discussion Item  
*This item allows the President of the Commission to report on recent small business activities and make announcements.*
6. **DIRECTOR'S REPORT** 4 min  
Discussion Item  
*Report and update the Commission on recent OSBA activities including RFP and "open door" policy.*
7. **NEW BUSINESS** 4 min  
Discussion Item  
*This item allows the Commissioners to introduce new agenda items for future consideration.*
8. **GENERAL PUBLIC COMMENT** TBD  
Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*
9. **CLOSED SESSION** 20 min  
Action Item  
*Annual review of the Small Business Commission and the Office of Small Business Affairs*  
Explanatory Documents: Letter to the general public and any letters received.



# City and County of San Francisco

## SMALL BUSINESS COMMISSION

### *Agenda Continued*

#### 10. ADJOURNMENT

30 sec

*Requires motion and public comment.*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

### KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that city operations are open for the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6083. To obtain a free copy of the Sunshine Ordinance contact:

Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

### DISABILITY ACCESS POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) is available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.





OFFICE OF SMALL BUSINESS AFFAIRS  
DANIEL HWANG  
DIRECTOR



CITY AND COUNTY OF SAN FRANCISCO  
WILLIE L. BROWN, JR  
MAYOR

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September 5, 2001

To: General Public

From: Daniel Hwang, Director of OSBA

Re: September 10, 2001 Small Business Commission Meeting (Closed Session Item)

At the September 10, 2001 Small Business Commission meeting, there is a closed session item on the agenda. The purpose of the agenda item is to review the performance and criticisms of the Small Business Commission (SBC) and the Office of Small Business Affairs (OSBA) as a full commission. The agenda item will give the Commission and staff an opportunity to discuss, identify, assess, and make adjustments to better serve the small business community and the general public.

The Office of Small Business Affairs and the Small Business Commission is asking the public to write to the SBC their comments regarding the Commission, Commissioners, OSBA, and Staff. The public comments will assist the Commissioners and staff to evaluate the effectiveness of the Commission and the Office of Small Business Affairs.

All comments should be addressed to the Small Business Commission. You may mail, fax, or email your comments only. All comments must be received by 12:00 pm on September 10, 2001. We thank you for your time and cooperation.

Mailing Address: Small Business Commission  
City Hall Room 448  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Fax Number: (415)558-7844

Email: [Martha\\_Yanez@ci.sf.ca.us](mailto:Martha_Yanez@ci.sf.ca.us) (Secretary to the Small Business Commission)

Kind regards,

Daniel Hwang  
Director  
Office of Small Business Affairs





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City and County of San Francisco  
**Small Business Commission**



September 10, 2001

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

MEETING MINUTES

Monday September 10, 2001 5:30 PM

Commissioners Chamber Room 400

\_\_\_\_Small Business Commissioners \_\_\_\_

STEPHEN CORNELL - PRESIDENT

JOSE NAJAR - VICE PRESIDENT

MARIVIC BAMBA, GWEN KAPLAN, DICK MAK,

YASIN SALMA, I.LEE MURPHY-REED

Director - Daniel Hwang

Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,

Members Absent: Marivic Bamba, Jose Najjar, Dick Mak

Call to order:

**ITEM 1 - ROLL CALL**

-The Small Business Commission met on September 10th, 2001 in regular session. The meeting was called to order at 5:38 PM.

**ITEM 2 - APPROVAL OF MINUTES FOR AUGUST 13TH, 2001 MEETING.**

-Commissioner Murphy-Reed pointed out some grammatical errors and clarified some statements that she made.

Action: The Commission unanimously approved the minutes with the revision.

**ITEM 3 - GENERAL PUBLIC COMMENT**

-Commissioner Cornell apologized to the members of the audience stating that item 9 on the agenda would not be carried out. He stated that after discussing the issue with the City Attorney's office and with Eleanor Johns, it was advised that a closed session should not be held due to legal purposes. However, he did state that public comments regarding the closed session would be heard.

-Mr. Caleb Conn a member of the public and a representative of Flex Your Power-San Francisco stated that he is in charge of the Bay Area small business initiative, and wished to inform the Commission of their agenda. He stated that he has been working with various small business entities such as Stephen, Cal Broomhead, and Scott Hauge. He stated that he is aware of other programs such as Power Boosters and said that his program does not conflict with the like. He stated that similar to the audit that Power Boosters will conduct, his program also offers energy consultations to small businesses throughout the Bay Area. He stated that while "Power Boosters" would offer more comprehensive packages for energy retrofits, Flex Your Power would offer low-cost to no-cost solutions for the businesses. He stated that he is working with the above named individuals to identify targeted business districts, and said that such services had been provided to merchants on Union Street and the response was fair. He stated that he is working with the right people to ensure that Power Boosters and Flex Your Power are complimentary and beneficial to each other.

-Commissioner Cornell asked if this effort was specific to San Francisco, and asked about their funding.

-Mr. Caleb Conn stated that the effort covered the entire Bay Area, and said that it is a statewide initiative, however he is in charge of the Bay Area. He stated that the funding is the same throughout the state.

-Mr. Charles Hardgrave a member of the public and Loan Officer with Housing Conservation & Development Corporation (HCDC), stated that he had come to express his support for Director Daniel Hwang and the Office of Small Business Affairs. He stated that his job requires that he reach out to the community including, Bayview/Hunters Point, OMI, and Visitation Valley. He stated that people said communities often think assume that he works for the Mayor's Office and question him about policies and procedures regarding small business issues. He stated that he has referred such people to Director Daniel Hwang and said that these people have been very satisfied with the response that they got from his office. He stated that Mr. Hwang was a real asset to the City and to the small business community at large.

-Commissioner Cornell asked what HCDC does.

-Mr. Charles Hardgrave stated that they build affordable housing for seniors and low-income families.

-Ms. Jinsoo Terry a member of the public and Founder of the Rhinoceros Business Club and Director of Manufacturing at Cut Loose Corporation in San Francisco, stated that Toastmaster is a worldwide program that has 1 million members worldwide. In the Bay Area alone there are 168 clubs, 32 of which are located in downtown San Francisco. She stated that many of the members are small business owners and they are concerned with the economy and the loss of jobs that has resulted from the current economic downturn. She stated that they have questions regarding how to start and expand their businesses, and thanked the Commission and the Office of

Small Business Affairs for being an entity that they could turn to for guidance and answers. She invited the Commission to CEO night, which will offer training in communications skills to business people. The event will take place on November 11th, and agreed that she would send a flyer with more information.

-Mr. Scott Hauge a member of the public and Director of SF Small Business Advocates asked about the status of his request from the last meeting, that a letter be written to Ms. Loretta Lynch for her support with the Power Boosters Program. Secondly, he encouraged the Commission to sponsor an event possibly at the Franciscan Restaurant on November 8th from 6-7:30PM. He stated that this event was a collaboration between the Small Business Network, the San Francisco Small Business Advocates, and the Hispanic Chamber Alliance, to put together a reception for the National Small Business United, which is an organization in Washington that advocates for small businesses. He stated that they would be holding their Board meeting here in San Francisco, and said that there are about 56 people from around the country that will attend this meeting. He also encouraged the Commission to sponsor another event for the same group on October 18th at the City Club from 6-7:30PM.

-Commissioner Cornell stated that these items would be on the next agenda as action items.

Action: No action taken, presentation and discussion only.

#### ITEM 4 - PRESENTATION FROM SMALL BUSINESS ORGANIZATIONS

-Commissioner Cornell stated that SBC/OSBA sent letters to various organizations throughout the small business community inviting the said organizations to the Commission meeting to discuss their organization and any specific issues they encounter.

-Ms. Pat Christensen of Christensen & Associates and Small Business Network stated that no letter had been received by her organization, but commented unofficially that the Small Business Network's mission is to support and encourage small business in San Francisco. She stated that they have 18 member associations including all the chambers of commerce, the council of district merchants, the architects, and the remodel associations. She stated that they claim that they represent 19,000 small businesses in the City. They are lobbyists for small business issues and they support and encourage small business people to be successful. She stated that they are looking for new members, and said that if the Commission could help with that, it would be appreciated.

-Mr. Rolf Muller a member of the public, President of the Inner Sunset Merchants Association, and a delegate for the fashion industries, stated that he wished to know who the letters were sent to. He stated that neither the merchants association nor the fashion industries had received such a letter.

-Mr. Scott Hauge stated that the San Francisco Advocates had not received a letter either.

-Commissioner Cornell asked Director Daniel Hwang if he had a list of the people whom the letter was sent to.

-Director Daniel Hwang stated that he did not have the list with him, but that information could be made available.

-Ms. Sue Malone a member of the public and President of the Small Business Development Center, stated that she was in receipt of the letter. She stated that the Small Business Development Center conducts one on one consulting and training, and they are open to everyone in San Francisco. She stated that they do a lot of debt and equity financing, business plan, and marketing plan. They help people put their business together. She stated that the best part of their services is that they are free. The SBA and the California State Department of Trade and Commerce fund them, and their host is City College.

-Commissioner Cornell asked for a specific example of what a typical consultant would do and for whom.

-Ms. Sue Malone stated that she has been the finance advisor for about one year and since then she said she had secured 2.8 million dollars in debt financing and 8 million dollars in equity financing. She stated that she looks for different avenues to finance

a business, and if the business looks weak they run them through a business plan.

-Mr. Scott Hauge stated that he wished to amplify on the SBDC, and said that they are the strongest infrastructure for small businesses in the United States. He stated that there are over 1100 centers around the country, and they serve over 600 thousand small businesses. He stated that the SBDC is a very formidable group and a formidable infrastructure in the United States.

-Director Daniel Hwang stated that OSBA does refer many people to SBDC and said that they are one of our preferred partners especially in the area of access to capital and business plans.

-Commissioner Cornell asked roughly how many letters had been sent to the small business community and pointed out that the members of the public who did not receive a letter had all participated in the Forum and as such should have received the letter.

-Director Daniel Hwang stated that it is likely that some organizations were missed, but guesstimated that roughly 60 letters had been either faxed and or emailed.

-Commissioner Murphy-Reed recommended that in the future the letters should be addressed to individuals rather than to the organization in general. She stated that the Black Chamber of Commerce had received a letter, but that the secretary had held on to it and gave it to her because it came from the Commission. She said that she would help in the effort to find the names of the people to whom letters should be addressed.

-Commissioner Salma stated that he too would participate in the effort, to ensure that every small business organization in San Francisco receives a letter before the next meeting. He suggested that OSBA start sending letters within the next 10 days.

#### ITEM 5 - PRESIDENT'S REPORT

-Commissioner Cornell reported on the Department of Building Inspections (DBI) proposed administrative bulletin regarding aisle widths in retail shops. He stated that the Commission and OSBA have been in contact with Director Frank Chiu, and said that it has been agreed that DBI will come before the Commission with their proposal. He stated that currently public workshops are being held in order to get public input, and to discuss possible solutions. He stated that once they have a clearer picture, or a better draft, DBI is certain to bring the issue before the Commission for comment and or recommendation. This should occur either at the October or the November meeting of the SBC. On a different note, Commissioner Cornell stated that he had received a letter from Home Depot, who is trying to locate in San Francisco at the old Goodman Lumber site on Bayshore Blvd. They are requesting a hearing to discuss the effects that this will have on the neighborhood and the city at large. He stated that this item might be calendared for the next meeting.

-Commissioner Kaplan questioned whether San Francisco needs more big box retailers. She stated that currently there are programs on television detailing how big box retailers are destroying communities, and said that she would be delighted to have a hearing on the issue. She stated that groups in San Francisco have tried to preserve its communities and people continue to fight for the small businessperson, defending these communities over the big box retailers.

-Mr. Rolf Muller thanked the President for his report and stated that he had attended the public workshop at DBI and said that he and Mr. Hauge were the only small business people in attendance. He suggested that the Commission should try to inform people about this issue and said that the newsletter would be a good way of getting the word out to let people know that this is coming. He stated that the newsletter should have as much information about how this will effect small businesses, so that people are well informed before they go to the meeting. He stated that Ms. Rose Pak from Chinatown was also present, but all others were DBI staff.

-Commissioner Cornell stated that the Commissioners did not go because the issue will come before the Commission in the future, and said that the Commission Secretary was there to represent SBC/OSBA. He agreed with Mr. Muller's point that people need to be informed, and added that the ramifications of the proposed bulletin will be great for small businesses.

-Commissioner Salma stated that he spoke to Mr. Chiu the morning of the workshop and suggested that a similar workshop be scheduled either in the morning before 10 AM or in the evening, after 6 PM. He stated that small business owners, due to the nature of their business, would be better served in the morning or in the evening.

-Commissioner Murphy-Reed requested that Director Daniel Hwang invite an individual from the Office of Civil Rights/Human Rights to speak on the issue as well. She stated that the Office for Civil Rights/Health and Human Services administered/wrote the regulation. She stated that they have an office in San Francisco and they would be the best people to speak and explain the regulation.

-Commissioner Cornell stated that it could be arranged so that both personnel from DBI and the Office for Civil Rights could present at the same meeting, and said that it was a good idea.

Action: No action taken. Discussion item only.

#### ITEM 6 - DIRECTOR'S REPORT

-Director Daniel Hwang updated the Commission on the RFP process. He stated that OSBA issued the RFP package to all LBE/WBE city vendors, and a letter to non-city vendors business organizations with instructions on where to obtain the package. He stated that the RFP was sent out to roughly 52 businesses/groups. There was a pre-bid conference that brought about 11 individuals, and the deadline for submission was Friday September 7th. He stated that OSBA received 5 proposals, and said that Commissioner Salma and Commissioner Cornell would help him review the proposals and narrow it down to the top three. He stated that the three final bidders would be interviewed and requested that the date of the interviews be pushed back until the 24th of September, and announce the winner of the bid at the October meeting. On a different note, he updated the Commission on the open door day, and stated that the first day was on Wednesday September 5th from 9:30-11:30AM and said that it had gone slow the first day. He stated that it had not been well publicized, and hoped that with the newsletter, future open door days would see more people. He stated that the next open door is scheduled for September 19th from 2:30-3:30PM, and reminded the audience and the Commission that these are times when people could just walk in and be helped without having an appointment. He stated that the first newsletter would be out October 1st and would be simple but done through the City's reproduction services.

-Mr. Rolf Muller asked if the RFP was issued to get information that is already available for free. He stated that Rosalie Bulach of Namefinders had provided this information in the past for free. He requested that any further action regarding the RFP be deferred until this matter is looked into.

-Commissioner Cornell stated that he had just received that information that day, and said that it seems that the information being requested via the RFP that was just recently issued was the same as the information which Rosalie Bulach said she had previously provided to the OSBA/SBC. He said that this matter would be looked into, and if legally possible the RFP would be recalled. He stated that OSBA/SBC would be in contact with the City Attorney's office.

Action: No action taken. Director's report only

#### ITEM 7 - NEW BUSINESS

-Commissioner Kaplan commented on Commissioner Salma's request to invite the small business organizations to voice their concerns as small business organizations. She suggested that OSBA/SBC target specific areas of the city at a time. She mentioned areas such as OMI/Excelsior and said that we call them and ask them to come. She stated that these communities have a lot of issues that they can bring before the Commission, but they need to be reached out to.

-Commissioner Murphy-Reed stated that the Commission has an idea of who is not showing up, and suggests that we outreach to those communities and those groups that they represent. She too suggested that we invite a couple at a time.

-Mr. Rolf Muller asked what the policy is for Commissioners who are constantly absent.



-Commissioner Cornell stated that the policy is that if they miss more than three meetings they would be asked to resign. He stated that currently two such letters concerning this Commission have been sent.

-Ms. Jinsoo Terry stated that she wished to briefly mention her group again. She stated that they put forth many events to promote small businesses and said that recently they put together Pacific Rim Night in which they invited small business owners that do business with Korea, Japan, and Hong Kong. She stated that 80 people attended the event. She stated that Toastmasters is a non-profit organization that is funded by membership fees, and said that she would appreciate help in finding new members. She asked the Commission to consider helping this organization move forward. She thanked the Commission for their work and their help.

-Commissioner Salma stated that he is very concerned with the revelation that the information being requested via the RFP is already available and is free. He stated that he would not agree with going forward with the RFP if this was the case, and stated that he did not care what the City Attorney's office had to say about the legality of retracting the RFP. He believes it preposterous to pay for something that is free.

Action: No action, discussion item only.

#### ITEM 8 - CLOSED SESSION

-Commissioner Cornell stated that he wished to discuss briefly about the closed session and then allow for public comment. Again he stated that there would not be a closed session, but welcomed comments from the public regarding the issue. He stated that the purpose of the closed session would be to discuss and review the performance of, and activities of OSBA and SBC. He stated that a letter had been sent out to the public regarding this item, and informed the public that OSBA/SBC had received roughly 13 letters in response to it's letter. He stated that the content of the letters would be considered. He invited anyone wishing to comment on this issue to speak during public comment.

#### ITEM 9 - GENERAL PUBLIC COMMENT

-No public comment at this point

#### ITEM 10 - ADJOURNMENT

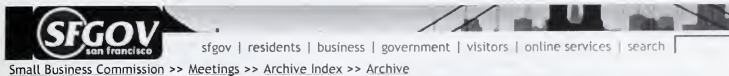
Action: Commissioner Kaplan moved to adjourn the meeting. Commissioner Murphy-Reed seconded. Meeting was adjourned at 6:40 p.m.

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City and County of San Francisco  
**Small Business Commission**



September 26, 2001 (Special)

City and County of San Francisco

**\*Notice of Special Meeting\***

**Agenda for Wednesday September 26, 2001**

**1 DR. CARLTON B. GOODLETT PLACE, San Francisco, CA 94102 - Room 400-  
4:00PM**

**SMALL BUSINESS COMMISSION**

Stephen Cornell - President

Jose Najjar - Vice President

Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed

Director - Daniel Hwang

Commission Secretary - Martha Yanez

**Agenda**

**Call to Order**

**1. ROLL CALL**

Call of roll of the Small Business Commissioners

**2. GENERAL PUBLIC COMMENT Discussion Item**

This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future Consideration

**3. PUBLIC EMPLOYEE EVALUATION: DIRECTOR OF THE SMALL BUSINESS**

**COMMISSION (COMMISSION) & OFFICE OF SMALL BUSINESS AFFAIRS (OSBA) AND  
COMMISSION SECRETARY****Action Item**

Public Comment: (on all matters pertaining to the closed session)

Closed Session. Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10 (b), performance evaluation of Daniel Hwang, Director of the Commission and OSBA and performance evaluation of Martha Yanez, Commission Secretary.

Open Session. Reconvene in open session and, pursuant to San Francisco Administrative Code Section 67.12(a): motion and vote to report if any action was taken or to disclose any or all of the discussions held in closed session.

**4. ADJOURNMENT****Action Item**

Requires motion and public comment

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.

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San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-mail: Donna\_Hall@ci.sf.ca.us

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The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

**Disability Access Policy**

Accessible seating for persons with disabilities (including those using wheelchairs) is

available. The closest accessible BART Station is the Civic Center station located at the intersection of Market, Hyde and Grove Streets. Accessible MUNI lines serving the Veterans Building are 42 Downtown Loop and the #71 Haight/Noriega and the F line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services call 923-6142. Accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex. American Sign Language interpreters and/or a sound enhancement system will be available upon request by contacting Milton Edelin at 558-6410 at least 72 hours prior to a hearing. Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the city's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the city to accommodate these individuals.

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City and County of San Francisco  
**Small Business Commission**

September 26, 2001 (Special)



CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

MEETING MINUTES

Wednesday September 26, 2001 4:00 PM

Commissioners Chamber Room 400

\_\_\_\_ Small Business Commissioners \_\_\_\_

Stephen Cornell - President

Jose Najjar Vice President

Gwen Kaplan, Dick Mak, I. Lee Murphy-Reed

Director - Daniel Hwang

Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Jose Najjar, Dick Mak

Call to order:

**ITEM 1 - ROLL CALL**

-The Small Business Commission met on September 26, 2001 for a special meeting in closed session. The meeting was called to order at 4:09 PM.

**ITEM 2 - GENERAL PUBLIC COMMENT**

-No public comment

**ITEM 3 PUBLIC EMPLOYEE EVALUATION: DIRECTOR OF THE SMALL BUSINESS COMMISSION (COMMISSION) & OFFICE OF SMALL BUSINESS AFFAIRS (OSBA) AND COMMISSION SECRETARY**

-Closed Session Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10 (b), performance evaluation of Daniel Hwang, Director of the Commission and OSBA and performance evaluation of Martha Yanez, Commission Secretary. The Director and the Secretary were asked to leave the room at this time.

-Commissioner Salma requested to accept all letters received by the Office of Small Business Affairs and the Small Business Commission as public comment regarding this item.

-Open Session Reconvene in open session and, pursuant to San Francisco Administrative Code Section 67.12 (a): motion and vote to report if any action was taken or to disclose any or all of the discussion held in closed session.

-Commissioner Cornell reported the conclusions reached by the Commission in closed session and stated that the Commission had taken on a lot of work in the fourteen months since its inception in May 2000. For example, taking on the recommendations from the Forum, which has proved to be too much work.

Furthermore he stated that there has been a lot going on in the office and that the office itself has not been managed on a day to day basis as it should be. He stated that the Director should consistently follow through with the daily functioning of the office, and said that this has to be improved. The Commission feels that it is not structured efficiently, not allowing for direction and oversight.

-Commissioner Salma added that the Commission failed to give direction and follow through.

-Commissioner Cornell requested that the Director provide each Commissioner with a job description for both the Director and the Commission Secretary a week before the next meeting of the Commission. Commissioner Cornell stated that this situation would be re-evaluated from those descriptions once they were provided.

-Commissioner Murphy-Reed requested that the Commissioners also be provided with a copy of the Handbook for Employees of the City and County of San Francisco, along with the job descriptions.

Action: The Commission unanimously approved the motion to reconvene and further discuss this item after reviewing the job descriptions and employee handbook.

**ITEM 4 ADJOURNMENT**

Action: Commissioner Najar motioned to adjourn the meeting. Meeting was adjourned at 6:18 PM.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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**Notice of Meeting & Agenda for Wednesday, October 10, 2001**  
**1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 408- 5:30PM**  
**SMALL BUSINESS COMMISSIONERS**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

*Director – Daniel Hwang*  
*Commission Secretary – Martha Yanez*

**Agenda**

1. **ROLL CALL** 3 min  
*Call of roll of the Small Business Commissioners*
2. **APPROVAL OF MINUTES**  
Action Item  
*Presentation, discussion, and possible action to approve the September 10<sup>th</sup> and September 26<sup>th</sup> meeting minutes*  
Explanatory Documents: Draft Minutes from September 10<sup>th</sup> and September 26<sup>th</sup> meeting minutes
3. **GENERAL PUBLIC COMMENT** TBD  
Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*
4. **PRESENTATION ON ADMINISTRATIVE BULLETIN AB-038 REGARDING DISABLED ACCESSIBLE AISLE WIDTHS WITHIN MERCHANDISE PADS IN RETAIL STORES** 20 min  
Action Item  
*[Presentation by Frank Chiu, Director of the Department of Building Inspection]*  
*Presentation, discussion, and possible action to make recommendations to the Department of Building Inspection and /or to the Building Inspection Commission regarding proposed Administrative Bulletin AB-038*  
Explanatory Documents: Administrative Bulletin AB-038
5. **PRESENTATION FROM SMALL BUSINESS ORGANIZATIONS REGARDING WHAT THEY DO AND THEIR CONCERNS AS SMALL BUSINESS REPRESENTATIVES.** TBD  
Discussion Item  
*Presentation and discussion to hear the specific concerns of the small business community including presentations from Landis Communication, PIC, MEDA, SF Network, and possibly others not yet confirmed*
6. **THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT REQUESTS \$10,000 THROUGH A WORK ORDER FROM OSBA TO ASSIST AND EDUCATE SMALL BUSINESS OWNERS IN MARKETING AND RETAINING THEIR BUSINESSES.** 20 min  
Action Item  
*[Presentation from Hala Hijazi of the Department of Business and Economic Development]*  
*Presentation, discussion, and possible action to approve the funding request of \$10,000 from OSBA via work order to the Department of Business and Economic Development.*





City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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7. **REQUEST FOR THE SMALL BUSINESS COMMISSION TO CO-SPONSOR AN EVENT AT THE FRANCISCAN RESTAURANT ON NOVEMBER 8, 2001 FROM 6PM TO 7:30PM FOR THE NATIONAL SMALL BUSINESS UNITED ORGANIZATION.** 15 min  
Action Item  
*[Presentation from Scott Hauge, President Small Business Advocates]  
Presentation, discussion, and possible action to co-sponsor, along with the Small Business Network and the Small Business Advocates, an event on November 8<sup>th</sup>, 2001 at the Franciscan Restaurant from 6:00PM to 7:30PM on behalf of the Small Business United organization.*
8. **PRESIDENT'S REPORT** 4 min  
Discussion Item  
*This item allows the President of the Commission to report on recent small business activities and make announcements.*
9. **DIRECTOR'S REPORT** 4 min  
Discussion Item  
*This item allows the President of the Commission to report on recent small business activities and make announcements.*
10. **NEW BUSINESS** 4 min  
Discussion Item  
*This item allows the Commissioners to introduce new agenda items for future consideration.*
11. **GENERAL PUBLIC COMMENT** TBD  
Discussion Item  
*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*
12. **ADJOURNMENT** 30 sec  
*Requires motion and public comment.*

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## **Disability Access Policy**

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## **Translation Services**

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For other accommodation, please call the Department of Human Services staff support representative at 557-5989 at least two business days before a meeting.

## **Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [SF Admin. Code Section 16.520-16.534] to register and report lobbying activity. For more information about the lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street No. 701, SF 94102 (415) 554-9510, FAX (415) 703-0121 and web site address at <http://www.ci.sf.ca.us/ethics/>.

## **Chemical Sensitivity**

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City and County of San Francisco  
**Small Business Commission**



October 10, 2001

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

DRAFT MEETING MINUTES (subject to revision)

Wednesday October 10, 2001 5:30 PM

Commissioners Chamber - Room 408

\_\_\_\_Small Business Commissioners \_\_\_\_

Stephen Cornell - President

Jose Najar - Vice President

Marivic Bamba, Gwen Kaplan, Dick Mak, Yasin "Sal" Salma, I. Lee Murphy-Reed

Director - Daniel Hwang

Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Jose Najar

Members Absent: Marivic Bamba, Dick Mak

**Call to order:****ITEM 1 - ROLL CALL**

- The Small Business Commission met on October 10th, 2001 in regular session. The meeting was called to order at 5:33 PM.

**ITEM 2 - APPROVAL OF MINUTES FOR SEPTEMBER 10TH AND 26TH, 2001 MEETINGS.**

- Commissioner Murphy-Reed pointed out some grammatical errors and clarified some statements that she made.

Action: The Commission unanimously approved the minutes with the revisions.

**ITEM 3 -GENERAL PUBLIC COMMENT**

- Paula Tejeda of Pendergast and Associates announced press conference to kick off a pro-bono educational campaign to urge tolerance. The press conference would be on Thursday October 11th at 9AM at City Blend Café on 16th and Valencia. She stated that since the recent September 11th events, there have been over 40 cases of harassment and vandalism towards small businesses owned by people of Middle Eastern decent. She thanked Shala Devulio for her design work, Commissioner Salma, and Daniel Hwang and OSBA for their input. She introduced Tony Williams the owner of Design Vectors who donated toward the campaign.

- Tony Vector, a businessman for over 30 years and owner of Design Vectors stressed the importance of tolerance during these times. He said that they are small business advocates, and the poster designed for the campaign highlights a small business owner in San Francisco who has been a target of harassment because of his heritage.

- Scott Hauge of the Small Business Advocates stated that the Small Business Advocates and the Small Business Network are spearheading a statewide campaign to raise money for the victims of New York. They are working with the United Way Fund and currently there are two options for contributions. One is to the general victims and the other to the WTC small business relief fund. The latter has been set up by the Small Business Development Center, the State of New York, and the Small Business Administration to provide micro-loans to small businesses and low-interest loans. He said that this program is unique because they are getting matching money from small business community and other groups. Currently they have \$43,000 in matching money. The goal is to get \$100,000 by the end of the month. He encouraged the Commission to get this information out to the public.

**ITEM 4 -PRESENTATION ON ADMINISTRATIVE BULLETIN AB-038 REGARDING DISABLED ACCESSIBLE AISLE WIDTHS WITHIN MERCHANDISE PADS IN RETAIL STORES**

- Frank Chiu, Director of the Department of Building Inspection gave a brief overview of the administrative bulletin AB-038. He said that currently there are no guidelines in place to enforce the law, and that the law is not new to San Francisco, or to California. He said that this did not become an issue until recently, when his department started getting complaints from the disabled community who felt that the law should be enforced. The administrative bulletin was his (the departments) way of addressing the problem. He mentioned that his department received about 20 letters from attorneys representing small businesses, and said that he asked for help from the City Attorneys office in interpreting the rulings of particular cases. He also stated that he was glad to hear from the small business community and hoped to continue this kind of dialogue. He said that he is not ready to make any decision at this time, and is still considering the options. He expressed his desire to find a reasonable solution to the problem, one that would benefit both parties involved, the disabled community and the small business community.

- Commissioner Murphy-Reed stated that all she saw were numbers and said that she would like to see some common ground. She expressed her desire for DBI to come up with a reasonable accommodation that would be agreeable to the small business owner and the disabled community.

- Commissioner Cornell stated his understanding of the law and said that in the past it

was triggered only as a result of new construction and/or renovating.

- Frank Chiu stated that Title 24, which is state law, is not triggered only under the circumstances mentioned by Commissioner Cornell, but also, and primarily on a complaint basis.

- Commissioner Kaplan expressed her concern for the business climate in San Francisco. She feels that San Francisco has more stringent laws than its surrounding neighbors, and fears that people are beginning to take their business elsewhere. For example, across the Bay. She asked if the proposed administrative bulletin only effects retail.

- Frank Chiu said that he shares the same concerns. He said that San Francisco has a higher percentage of disabled community and thus more complaints. The Disabled Access Division of his department was set up to address these issues, and he added that not all city's have a special division/program to deal with this issue, in part because it is not an issue in most city's. He stated that he thought he was coming up with a reasonable approach when drafting the proposed administrative bulletin, but said that he may consider dropping the issue, and deal with this on a case by case basis. He reiterated the fact that no decision will be made at this time and that he and his staff are still gathering information, taking input and trying to come up with what is reasonable. In response to Commissioner Kaplan's comment about businesses leaving San Francisco because it is too difficult to do business here, he said that his department has tried to address that problem, and used as an example the Access Appeals Commission and the pre-application process. He said that the proposed administrative bulletin effects all M occupancies, which is retail, regardless of the size of the business. In conclusion he reassured the Commission that the Department of Building Inspection is not targeting small businesses. He said that this is no different than what the State already requires, and added that what his department is doing, or attempted to do with this bulletin, is to simply address the complaints received by his department.

- Commissioner Salma thanked Mr. Chiu for coming before the Commission and requested that he schedule public workshops/meetings in the evening so to accommodate small business owners who can not get away from their businesses in the day.

- Frank Chiu agreed to schedule some of the future workshops in the evening.

- Linda Mjellem, President of the Union Square Association, expressed her concerns regarding the administrative bulletin stating her belief that it would have a disproportionate impact on small businesses. She said that she and the association she represents are in favor of a case by case review of what is reasonable, and suggested that the Department of Building Inspection not attempt to interpret what State code is.

- Syndi Seed, President of the Small Business Network (SBN), expressed the concerns of the Small Business Network by reading a letter addressed to Mr. Chiu dated September 25th. In the letter she writes about SBN's strong support for accessibility for the disabled community, but states that it is not wise for a City agency to interpret, nor enforce State law. In conclusion the SBN calls upon the Department of Building Inspection to drop development of the draft administrative bulletin and deal with the problem on a case by case basis.

- Dan Gustavson, DDS, and past member of the Dental Society, explained his personal experience with the Department of Building Inspection when attempting to expand his practice by opening a new business in an under served neighborhood. He stated that his issue has been ongoing for the past six months, including going through the Access Appeals Commission of DBI. He is concerned that the city is not interested in what is reasonable, and explained how he complied with most of the requirements of DBI including providing the same services on both floors of his business, and making the first floor completely accessible to the disabled community. He stated that after all this, DBI is still requiring that he install an elevator at a cost of close to \$100,000 to him. He agreed with Commissioner Kaplan's comment regarding San Francisco becoming increasingly more difficult to do business in, and added that at this point he would not attempt to open a new business in San Francisco.



▫ Commissioner Murphy-Reed suggested that Dr. Gustavson study the code more closely, because she could almost guarantee that if you provide the same service on the first floor as on the second floor (nothing being different), you would not need to make the second floor accessible to the disabled.

▫ Commissioner Kaplan stated that she would be delighted to help Dr. Gustavson resolve his problem.

▫ Paul Pendergast of Pendergast and Associates talked about the door to door outreach that he and his partners have been doing. He invited Mr. Chiu to walk the neighborhoods with them so that he could hear first hand accounts from small business owners. He requested that the draft administrative bulletin be made easier to read, and in more than one language. He also warned that many businesses do voice their opinions for fear of a possible backlash, and said that many of them believe that they would only be more scrutinized by the government (i.e. DBI) if they did speak out.

▫ Steven Vettel, an Attorney that worked with Mervyn's and it's lawsuit, stated that the ADA laws are enforced under following conditions; new construction, renovation, and any complaint driven case. He said that the City Attorney told him that any business is at risk of being scrutinized because of the complaint component. If DBI receives a complaint they have to address it, and this would put any business in jeopardy.

▫ Robert McCarthy, of McCarthy & Shwartz appeared on behalf of the California Retailers Association. The California Retailers Association represents 9,000 businesses in California big and small. He stated that although he believes that DBI's intention in raising the issue was well motivated, they were misled by the City Attorney's Office. He pointed out that at the last workshop the City Attorney had admitted that there were only two cases that existed regarding this matter, neither of which was known prior to the draft being written. Both have definitively rejected the notion that Title 24 addresses movable aisles. He stated that the ADA has a flexible standard, which talks about creating reasonable access, but interpreting on a case by case whether or not reasonable alternatives have been provided. He suggested that the real remedy is to pursue this in the State and Federal Courts on a case by case basis, by the ADA. He applauded Mr. Chiu for attempting to come up with what is reasonable, but added that it is not his responsibility, and that DBI is understaffed to handle it.

▫ Scott Hauge, SF Small Business Advocates echoed the comments made by the SF Small Business Network and Union Street Association. He added that many small business owners do not understand the proposed administrative bulletin. He suggested that the Commission take advantage of the energy audits that the Department of the Environment is conducting as part of the Power Boosters program, to get information regarding ADA to the small business owners. He suggested that when the auditors go out to the businesses, they have something that we have provided to hand out to the business owners in a simplified form.

▫ Frank Chiu addressed Dr. Gustavson and apologized for his Department's handling of the situation. He said that although there is a policy in place to deal with such cases, in this case it did not go as it was supposed to. He added that no case should go to the Access Appeals Commission before it is reviewed by the Deputy Director or by he.

▫ Commissioner Murphy-Reed asked Mr. Chiu if he had established a comment period for the proposed administrative bulletin, and encouraged him to do so if he had not. She said it would be an excellent opportunity for the public to provide insightful information.

#### **ITEM 5 - PRESENTATION FROM SMALL BUSINESS ORGANIZATIONS REGARDING WHAT THEY DO AND THEIR CONCERNS AS SMALL BUSINESS REPRESENTATIVES.**

▫ Bruce Bonacker, of the San Francisco Bay Area Chapter of the National Association of Remodeling Industry, or NARI. NARI is made up of those people who are involved in remodeling both commercial and residential space. They are contractors who handle remodeling, designers, and suppliers of materials that go into remodeling projects. They are a much larger portion of the economy than the new builders in San Francisco are. He spoke of four items that are of concern to NARI. The first has to do with the



development of SOMA and the loss of affordable quarters. He said that he is concerned with how City Planning is looking at the issue. The second area of concern has to do with equity. For example, what portion of the business community must pay taxes (gross receipts, payroll tax). Another area of concern relates to the planning and permit process. He talked about the time it takes to obtain a permit and said that the Department of Public Works has no overseeing Commission or Board, suggesting that the process is delayed in some cases as a result. Last but not least he talked about a specific proposal being considered having to do with residential interior lead based paint. He said that it should be a concern for the Commission because the issue would be complaint driven and this would put painters in jeopardy. He advised that he would probably be back in the future to talk more about this proposal.

- Commissioner Cornell agreed that requirements for painting are many as it is. He said that he sells paint and as a mandate he is required to provide the buyer with about five brochures regarding lead-based paints. He asked Mr. Bonacker about NARI's membership and if they had experienced businesses leaving San Francisco.

- Bruce Bonacker replied by stating that businesses have left and are leaving San Francisco. He said that they have members that are from Marin, Northern Peninsula, and East Foothills in Oakland.

- Lucia Chan, Business Service Manager with the Private Industry Council (PIC) said that an ongoing concern of PIC's is the need for soft skills among its employable people. The PIC administers employment and training programs. The PIC contracts employment and training services with organizations such as City College and Community Based Organizations. She stated that with the economic downturn and the more recent September 11th events, there are many more people out of work and looking for employment, as a result, employers can be choosier. Other types of services offered at PIC include rapid response, which provides employers lay-off's intervention assistance. On-the-job training is available for employers where PIC will pay up to 50% of the employee's wages for up to 490 hours during the initial employment period. PIC also provides technical assistance, or TA, and Tax Credit Incentives for employers.

- Commissioner Cornell suggested to go with Mr. Hauge's suggestion to provide information to business owners via the Power Boosters program, when they go out to businesses to do audits, and asked if Ms. Chan could provide the Commission Secretary with information to be handed out.

- Commissioner Kaplan suggested that the information continue to be included in the OSBA newsletter.

- Commissioner Murphy-Reed asked if Ms. Chan could get as much information about PIC together in a folder to give to the Commission Secretary so that she may forward it to each Commissioner so that they may be well informed about the services that PIC provides.

- Lucia Chan said she would be glad to.

- Commissioner Cornell asked about PIC's customers, what types of businesses typically seek out your services, and what type of people do you refer for employment. He asked if it has gotten more difficult to find jobs.

- Lucia Chan said that they get a mixed group of participants from all types of backgrounds. Some are very educated and are seeking to climb up the ladder, while others may have been out of work for sometime and are looking to return to the workforce. She stated that there is a lot less hiring right now.

- Commissioner Cornell asked Ms. Chan if she felt that the educational system was helping prepare young people for the workforce.

- Lucia Chan said she believed the educational system was working; however people also need experience.

- Commissioner Salma asked if PIC pays for employees insurance if the employer hires some referred by PIC.

- Lucia Chan answered no, and concluded by stating that PIC is a non-profit funded by the City.

- Scott Hauge a member of the SF Workforce Investment Board, California Workforce Investment Board, and the Employers Committee, stated that SF Small Business

Network is the one responsible for the tax credit program that was put together by PIC. He encouraged the Commission to work with the Workforce Investment Board. In addition, he reminded the Commission of a recommendation that was made at the Forum, which was to develop a sub-committee within the SBC that will go out and meet with the various non-profits and community based organizations (CBO's) to develop better relationships with them.

- Director Hwang informed the Commission that he has been working with Director of PIC, Pamela Calloway and Ms. Chan in attempting to address the recommendations from the Forum. He stated that they are in the development of it.

- Commissioner Salma stated that committees should be formed on many issues relating to the recommendations from the Forum, and it should be done as soon as possible.

Action: No action taken. Discussion item only.

#### **ITEM 6 - THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT REQUESTS \$10,000 THROUGH A WORK ORDER FROM OSBA TO ASSIST AND EDUCATE SMALL BUSINESS OWNERS IN MARKETING AND RETAINING THEIR BUSINESSES.**

- Hala Hijazi of Mayor's Office of Economic Development (MOED), stated that MOED has received many calls for help from the small business community, primarily those owned by Arab-Americans. She said that said businesses are targets of hate crimes and they need help. She said that she is working with the Human Rights Commission, the Office of Small Business Affairs to come up with an informative document that people could refer to when dealing with such crimes. The document would be available in more than one language and would have information regarding what to do and where to go for help.

- Commissioner Cornell asked how many businesses are there that only speak one language (other than English)

- Hala Hijazi responded saying that there were about 2,000 businesses, and added that they need to be reassured that they have rights.

- Commissioner Kaplan requested that Ms. Hijazi report to the Commission on the status of the document.

Action: Commissioner Kaplan moved to approve the funding request of \$10,000 to the Dept. of Business & Economic Development through a work order from OSBA to assist and educate small business owners in marketing and retaining their businesses.

Commissioner Salma seconded. Unanimous approval from the Commission.

#### **ITEM 7 - REQUEST FOR THE SMALL BUSINESS COMMISSION TO CO-SPONSOR AN EVENT AT THE FRANCISCAN RESTAURANT ON NOVEMBER 8, 2001 FROM 6PM TO 7:30PM FOR THE NATIONAL SMALL BUSINESS UNITED ORGANIZATION.**

- Scott Hauge, SF Small Business Advocates, reminded the Commissioners about an item he had mentioned at the last meeting regarding a board meeting of approximately 55 members of the National Small Business United organization. He stated that the organization is an advocacy group in Washington that represents small business on mostly Federal issues. He said that it would be a good opportunity for the small business community of San Francisco to meet the leaders of the National Small Business United to find out what they are doing and tell them about what we are doing here in San Francisco. This is a collaborative effort between the SF Small Business Network, SF Small Business Advocates and hopefully the Small Business Commission.

Action: Commissioner Kaplan moved to co-sponsor the event at the Franciscan Restaurant on November 8th, 2001 from 6PM to 7:30PM for the National Small Business United organization. Commissioner Salma seconded. Unanimous approval from the Commission.

#### **ITEM 8 - PRESIDENT'S REPORT**

- Commissioner Cornell regarding the recent September 11th events and the more recent war, stated that if an employee is called to service (the army and the like), the employer must maintain benefits and upon returning to work, the employee must

be provided the same job with everything remaining the same. The employer does not have to pay the wages while in service, but health benefits must remain in tact. On a different subject, he talked about the closed session meeting of September 26th. He stated that the Commission decided to set up committees with 1 or 2 Commissioners on each committee. He discussed the schedule for the next meeting, informing the public that the November meeting will be rescheduled due to Veteran's holiday, which falls on the 12th of November. In addition, he announced a special meeting of the SBC that is being scheduled and tentatively set for October 23rd or 25th, depending on room availability. The special meeting will include presentations from the Hotel Industry and the Visitor's Bureau regarding the recent economic downturn. He talked about OSBA/SBC's first newsletter, and said that it should be available via email soon.

▫ Scott Hauge encouraged the Commission to have small business people serve on the committees that will be formed.

#### ITEM 9 -DIRECTOR'S REPORT

▫ Director Hwang thanked everyone who responded to the Mayor's emergency meeting regarding America: Open for Business. He said that the turn out was good for such short notice and reported that all the posters had been distributed.

▫ Commissioner Kaplan expressed her frustration at not getting the posters that she had put in for. She said that it is not good to hype people up for something and then not follow through. She requested to get some posters.

▫ Commissioner Cornell requested that a letter be sent to the Graphic Artist that provided his/her work, and all the people who helped. In addition, he commented that on his walk through his neighborhood he observed that every single business took the poster except for the national chain stores, excluding Walgreen's who did take a poster and immediately posted it. He said he would like this information to get back to the Mayor.

▫ Director Hwang stated that the Mayor had received many calls and had been told by his own people about what Commissioner Cornell stated. On a different topic, he said that the OSBA reviewed all 5 RFP proposals submitted, but decided to reject them all and go with Namefinders free information.

▫ Scott Hauge talked about stipulating business in San Francisco and said that one way is to buy from small businesses. He said he mentioned this to the Mayor in a meeting with him, and said that the Mayor had sent out a message to Judith Blackwell, Director of Purchasing, to buy from San Francisco small businesses. whenever possible.

#### ITEM 10 - NEW BUSINESS

▫ Commissioner Salma requested that the Secretary send any mail to the Commissioners when received and that she not wait until the next meeting.

▫ Commissioner Cornell stated that this issue could be left to the discretion of the Secretary.

▫ Commissioner Murphy-Reed requested to have one or more of the heads of the Procurement Office appear before the Commission as an agenda item.

▫ Director Hwang informed the President of the Minority Trade Fair at the Bill Graham Presents on Tuesday October 16th. He said that OSBA would be sharing a booth with the Tax Collector's Office handing out information from 8AM-4PM.

▫ Scott Hauge talked about another event, also mentioned at the last meeting, and said that on October 18th there will be a reception to honor Ms. Syndi Seid at the City Club from 5:30PM-8PM. He invited the Commissioners and advised them to get there by 6PM.

Action: No action taken. Discussion item only.

#### ITEM 11 - GENERAL PUBLIC COMMENT

▫ Cletis Young of the Bayview Resource Center said that the center would be opening soon, hopefully within two weeks. He thanked the Commission for their support.

Action: No action taken. Discussion item only.

#### ITEM 12 - ADJOURNMENT

Action: Commissioner Salma moved to adjourn the meeting. Commissioner Murphy-Reed seconded. Meeting was adjourned at 7:56 PM.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

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**\*Notice of Special Meeting\***

**Agenda for Thursday October 25, 2001**

1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 263- 5:30PM

**SMALL BUSINESS COMMISSIONERS**

*Stephen Cornell – President*

*Jose Najar – Vice President*

*Gwen Kaplan, Dick Mak, Yasin Salma, I.Lee Murphy-Reed*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

**Call to Order**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future Consideration*

**3. PRESENTATION FROM THE BUSINESS COMMUNITY REGARDING THE EFFECT OF THE EVENTS OF SEPTEMBER 11<sup>TH</sup> ON THE BUSINESS CLIMATE IN SAN FRANCISCO.**

Discussion & Possible Action

[Presentations by John Marks, President of the Convention & Visitor's Bureau; Patricia Breslin, Executive Director of the Golden Gate Restaurant Association; John Cope, President of the Hotel Council; Cathy Widener, Manager of Governmental Affairs; Patricia Breslin, Taxi Commissioner; and Edward Bell, Executive Director of Edward Bell & Associates]

*Presentation, discussion, and possible action.*

**4. FORMATION OF SMALL BUSINESS COMMISSION SUB-COMMITTEES**

Action Item

*Discussion and possible action to form sub-committees within the Small Business Commission to address the recommendations from the Forum.*

**5. PRESIDENTS REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*



**City and County of San Francisco**  
**SMALL BUSINESS COMMISSION**

**6. DIRECTORS REPORT**

Discussion Item

*This item allows the Director of the Commission to report on recent small business activities and make announcements.*

**7. NEW BUSINESS**

Discussion Item

*This item allows the Commissioners to introduce new agenda items for future consideration.*

**8. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future Consideration.*

**9. ADJOURNMENT**

Action Item

*Requires motion and public comment*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.





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Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

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## City and County of San Francisco Small Business Commission

October 25, 2001 (Special)



CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

DRAFT MEETING MINUTES (subject to revision)

Wednesday October 25, 2001 5:30 PM - Committee Room Room 263

\_\_\_\_ Small Business Commissioners \_

Stephen Cornell - President

Jose Najar - Vice President

Gwen Kaplan, Dick Mak, Yasin ?Sal? Salma, I. Lee Murphy-Reed

Director - Daniel Hwang

Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Dick Mak

Members Absent: Jose Najar

**Call to order:****ITEM 1 - ROLL CALL**

- The Small Business Commission met on October 25th, 2001 in special session. The meeting was called to order at 5:32 PM.

**ITEM 2 - GENERAL PUBLIC COMMENT**

- John Crapo, Director of Research for the Chamber of Commerce, stated that he had some handouts that he wished to give to the Commissioners. He stated that they are working with both Representative Nancy Pelosi's office and Senator Dianne Feinstein's office to come up with suggestions from the small business community regarding meaningful additions, suggestions for the emergency relief foundation in Washington. He asked the Commissioners to review the information he submitted and welcomed any suggestions from the Commissioners.

- Cal Broomhead from the Department of the Environment Small Business Program, distributed a Power Boosters fax back form, and announced that work on the pilot for the Power Boosters program had commenced. He stated that they visited about 400 business sites, secured 24 authorizations, and completed 17 audits, and made 6 presentations. He stated that 2 staff had been hired for the prime program, and a contractor was selected and negotiations are in the works, and said that they are working on the financing with SBA and SBDC. Furthermore he stated that he had met with Daniel to begin work on an informational packet to be distributed to businesses during visits. He said that in the next few years they would be visiting nearly 6000 businesses, and said that this would be a great opportunity to get information directly to the businesses regarding small business issues. He welcomed suggestions from the Commissioners, and said he may come before the Commission in the near future to request funding for the printing costs. He spoke briefly on the State's Flex your Power program.

**ITEM 3 - PRESENTATION FROM THE BUSINESS COMMUNITY REGARDING THE EFFECT OF THE EVENTS OF SEPTEMBER 11TH ON THE BUSINESS CLIMATE IN SAN FRANCISCO**

- John Marks, President of the Convention & Visitors Bureau began by comparing this year to last year. He said that it has not been a good year, especially when you compare last years 82 percent occupancy rate to today's occupancy rate. He talked about the dot com bomb which hit San Francisco and the Bay Area alike in the beginning of this year, and said that the September 11th events only made an already bad situation worse. For example, on September 12th, the occupancy rate in San Francisco dropped dramatically to 10-15 percent. He said that the outlook for the end of the year (50 to 60 percent occupancy), is slightly better, however still considerably less than last year, although the convention segment has started to pick up. He spoke briefly about organizations recently convening in San Francisco, and quoted numbers. He stated that leisure travel, especially international travel, is down. He said that everyone should be concerned with what is going on at the airport. He stated that SFO dramatically reduced flights as a result of 9/11. For example, he stated that United reduced flights by 33 percent, adding that 84 percent of occupancies in San Francisco come by air. In terms of remedies or suggestions to help the situation he suggested a tax credit for travelers, and also commented on bringing Southwest airlines back to San Francisco. He talked about a 5 million-dollar media advertising campaign that will be launched by the State of California to encourage Californians to stay in California. There will also be a couple of programs that the Convention & Visitors Bureau will participate in involving Triple A and Visa. These programs will encourage people to shop and visit San Francisco. He talked about a major radio campaign, and said that they would also be participating in the Mayor's American: Open for Business campaign.

- Commissioner Murphy-Reed asked what the Small Business Commission could do to assist.

- John Marks stated that there were two things that need attention, the first being that they will require more marketing dollars in the next year. He said that it is more

difficult under these circumstances, but added, if you spend more you generate more. The other issue is regarding the streets in San Francisco. He stated that while the issue of cleanliness is getting better, the behavior of people on the streets is problematic and an issue among the visitors coming into San Francisco.

- Commissioner Cornell stated his understanding for the hotel tax and the percentage that goes to the Bureau. He asked if the division of the hotel tax is done through the Board of Supervisors. He then asked if it would help if the Commission urged the Board of Supervisors to raise the hotel tax for the coming year?

- John Marks stated that they are not looking for a handout, but said that the more support that can be generated the better off that they will be. He said that they are looking to be able to invest more money to drive more people to San Francisco to spend money.

- Kathleen Harrington, President of the Golden Gate Restaurant Association (GGRA), stated that the problem is worse downtown, especially places such as Fisherman's Wharf, The Embarcadero, South of Market and Union Street, where business is off between 25 and 50 percent. She said that coupled with the cost of doing business in San Francisco, these more recent events create further hardship. She agreed with Mr. Mark's comments about focusing on getting people to come to San Francisco to eat, to shop and to stay. She urged the Commission to ask the City and County of San Francisco during budget time; to increase the marketing money allotted for the Convention & Visitors Bureau. She stated that the money comes back to the City 100 fold. She also stated that the City must act like any business in times of hardship, that includes lowering costs while providing the same quality of service if not better. She said that this is a message that the Commission should pass on to the Board of Supervisors. She said that it is appropriate that the Commission consider looking at issues relating to taxes and comment on them. For example, she said that in times like this the City should consider re-looking at the 7.5 percent city utility tax that is added to the PG&E bill. She added that this would be somewhat of a relief for small businesses. She also suggested providing information regarding loans.

- Commissioner Salma asked how the Commission could help.

- Kathleen Harrington said that two things she is concerned with are parking issues in San Francisco whether it is no parking and or expensive parking. The other concern relates to the street people problem already previously mentioned.

- John Cope, President of the Hotel Council stated that he is also Chairman of a National consortium called Smallature Hotels of the World based in London. He reported that the crisis of 9/11 has hit the world. He added that business is slow everywhere creating an even greater problem. He commented that the percentages that Mr. Marks spoke about still seem gaudy to him. Mr. Cope also runs the Huntington Hotel, which was projected to be at 83 percent occupancy for the month of September. The occupancy at the end of the month reached 46 percent. He spoke briefly on the hotel tax, stating that the City will see the true effects when the hotel tax is calculated for this year. He stated that a year ago the hotel tax reached about 180 million dollars and was projected to hit about 200 million this year. Echoing the remarks from the previous speakers he talked about the street problems both with cleanliness and behavior. He suggested that the City should create and make available at every guestroom in the City, a questionnaire similar to those already provided at hotels regarding hotel services. The City questionnaire should focus on the City in general, asking questions regarding the condition of the City and allow/encourage feedback from the visitors.

- Commissioner Cornell asked if the Hotel Council might fund the city questionnaire. He also asked how San Francisco compares to other cities in regards to the street people issue.

- John Cope stated that San Francisco is in a league of it's own. For example, he stated that while in Boston recently he drove up to Maine and saw garbage cans with signs stating that for health reasons it is illegal to remove anything from the cans. He also said that in Boston they saw no homeless people.

- Patricia Breslin Hospitality Seat on the Taxi Commission stated that the taxi cab industry has been impacted by the both the September 11th event and the dot COM

bomb which hit earlier this year. She stated that the state of affairs is inconsistent. The downturn in the hotel industry has caused a downturn in the taxi industry, and although taxis have offered discounts as a way to stay in business, they can't continue to do so. She stated that while there are a lot of taxis downtown, there are not as many in neighborhoods. In regards to the airport she said that the situation there has been both good and bad. The airport has restricted taxis from certain areas, while allowing drop-off and pick-ups in other areas previously restricted. In terms of relief for taxi drivers, she talked about the need for a marketing program, which the drivers have requested as a way to let people know that they are out there and available in neighborhoods and downtown. She stated that drivers are also faced with the issue of citations, and said that it only adds to the current problem. She said that drivers have requested some sort of intervention from DPT, because they are receiving drive-away citations while simply letting a passenger out of their cab.

- Commissioner Kaplan asked for clarification regarding the airport and the new restrictions there.

- Commissioner Murphy-Reed commented on the attitude of some taxi drivers and asked what can be done to make them a little more people friendly. She questioned if the association is concerned with this issue.

- Patricia Breslin stated that there are driver education courses for individuals that act in the manner described, but added that as with any other business, unfortunately people more often than not notice the negative things. She encouraged people to bring forward any such complaints, and added that drivers often times are the first to bring forward complaints against other drivers whom they believe are not acting appropriately.

- Cathy Widener, Manager of Governmental Affairs at San Francisco Airport, stated that she prepared a brief overview of the economic situation at SFO, and said that the airport is anticipating a loss of 100 million dollars as a result of September 11th. In part she said that this was due to the 3-day closure of the airport, as well as a decrease in business, adding that there are simply less people at the airport since 9/11. This has caused them to downscale. To give an idea of how all this effects the day to day economics at the airport, she cited the 600 million dollars of total operating cost, half of which is allocated to their debt service. So, the 100 million-dollar loss is a big hit for the airport. She stated that the airport attempts to deal with this hit by scaling back a lot of their contracts to mesh with the declining passenger levels. She stated that they simply have fewer people at the airport, so contracts like their curbside management program have had to be reduced if not eliminated for the time being. In answering some questions that came up in the previous presentations, she said that the taxi zones have been restricted not for safety purposes, but rather due to the decrease in business.

- Commissioner Cornell asked Ms. Widener to clarify the definition of curbside management.

- Cathy Widener stated that SFO is one of the only airports in the Country that comprehensively looks at controlling traffic at the airport, so it is a way to control the traffic at the airport and keep traffic circulating. With the anticipated 100 million-dollar loss, she stated that tenants at the airport are clearly feeling the effects of that loss. She stated that post 9/11 the tenants reported that their bid rents, or minimum annual guarantees, would be nearly 50-60 percent of their sales if the current levels continue. She stated that obviously you can't run a business this way. She stated that they are hearing that the small businesses at the airport are experiencing about a 35 percent decrease in sales and said that most of these businesses have either laid off some of their workers or reduced their hours. In order to alleviate some of the burden to the tenants, the airport has attempted to make some changes that will benefit the business community at the airport. Some of the changes include suspending the minimum annual guarantee clause of the tenant leases, and moved them on a temporary basis to percentage based rent which is based on how many sales they make per day. She stated that they have also allowed for changes in the hours of operation to fit their tenants needs. She stated that they are also exploring the possibility of extending the terms of leases, particularly in the



international terminal. She said that many of the businesses there spent a lot of money getting their spaces ready to open. And finally, she said that the airport staff is also working with lenders to renegotiate the terms of loans, and added that they have backed those loans 100 percent.

- Commissioner Murphy-Reed asked how long the airport is planning on extending the leases for, and asked the airport to consider the fact that other people may be interested in occupying the spaces, and may feel denied the opportunity if the extensions are lengthy.

- Cathy Widener stated that most tenants are asking for a 5-year extension, but she did not know at this time what the airport was going to do. She said that airport staff is still looking into it, and added that they have not made a decision yet because they are well aware of the issue mentioned by Commissioner Reed.

- Commissioner Cornell asked if there have been any cutbacks on contracts involving city employees.

- Cathy Widener stated that the airport is in a hiring freeze although there has not been an official cutback or layoffs but it is something that is being considered, and added that almost everything is being considered.

- Commissioner Kaplan asked if there is a tenant organization at the airport for small businesses, and asked to get the names of the tenant organizations at the airport.

- Cathy Widener stated that there are a few organizations including one that represents all tenants at the airport, as well as one for just small businesses.

- Commissioner Cornell asked if there is anything that the Commission or the City could do to help business at the airport. He asked if there is a concentrated effort to move back the luggage check-in so that some of the businesses could move forward more and be more accessible to the public.

- Cathy Widener stated that they could certainly use help with marketing tourism. She said that business at the airport is dependent on tourism, so anything with marketing would certainly be helpful. She said that they are in constant conversations with the FAA regarding moving luggage check in points, which she added the FAA would like to move even further up, which causes disparity between business on either side of check points. Finally she added that they would feel successful if they could go back to how things were on September 10th in terms of security checkpoint placements.

- Edward Bell, Executive Director of Edward Bell & Associates, stated that he was in a very different position than prior speakers because he is in the recruitment business. He is the owner and director of an executive search firm, which places accounting finance and computer professionals in full time and contract positions throughout the greater bay area. In the past his clients have largely been Internet startups, and fortunately local corporations and municipalities. He echoed the sentiments of many of the previous speakers, in stating that this year was difficult enough without the September 11th event. He stated that they have had a number of problems this year, for example, his debts this year have equaled the cumulative debts from the past 10 years. His business is based on the scarcity of employees, and said that when companies have a lot of candidates, they have no need for his services. He said that last year they were constantly called upon by people needing their service, that has changed to his company doing the calling seeking business. Additionally he stated that they do business by charging a percentage of the candidate's salary, which over the last year has decreased considerably due to the economy. He said that companies are pushing for a 33 percent reduction in salaries this year compared to last year. He stated that the Bay Area has received bad national publicity, in part due to the housing issue in San Francisco, which is not getting better in spite of the downturn in the economy. He requested the Commission to address the issue of the payroll tax, which he stated might not be eliminated, but even minor changes would help at this point. For example, he anticipates that the amount of tax he paid in April would cover more than his annual payroll tax cost.

- Commissioner Cornell asked if other firms such as Mr. Bell's are experiencing similar effects.

- Edward Bell stated that he believed this to be the case.

- Scott Hauge a member of the public and President of the Small Business Advocates

commented that he had worked with John Martin from the Airport, and said that he and airport staff have been very good to work with. He talked about a city campaign that will take affect the week of November 11th through the 17th, and said that he would like to see the Small Business Commission take the lead on this campaign.

- James Maddox, President and Chair of Media Relations for Taxi Permit Holders and Drivers Association. He stated that he wanted to talk about a proposal that he had brought up at the Taxi Commission. He stated that it is an idea to create a public awareness and education campaign to get people out of private vehicles and into taxicabs as well as other modes of public transit. He stated that the centerpiece for this effort would be a booklet that already exists titled "Hey Taxi". "Hey Taxi" gives the public tips to getting a taxi in San Francisco. He stated that the author of the booklet gave permission to reproduce the book before he passed away, and said that he believes it would be very effective. In addition, he said that he would go so far as to advertise this campaign on television and on the radio. He feels that it is important especially right now.

- Tom McDonald, a member of the public and owner of Silicon Valley Tours expressed his deep concern regarding the state of San Francisco streets. He said that the fundamentals need to be addressed in San Francisco, and questioned how a city such as San Francisco could be so filthy. He stated that small businesses should be accountable for their storefronts.

- Commissioner Salma stated that he agreed with Mr. McDonald, and said that he would like to invite DPT, DPW, and the Police to the next meeting to address the concerns heard tonight.

Action: Commissioner Salma motioned to invite department heads mentioned above to the next meeting. Commissioner Kaplan added that the Commission write a letter to the Mayor and to the Board of Supervisors describing the issues discussed in this meeting, particularly the cleanliness and the safety of the streets. Commissioner Murphy-Reed seconded the motion and asked to amend the motion to include that the Small Business Commission appears before the Board of Supervisors on these issues. Commissioner Kaplan excepted the amendment. The vote was a unanimous approval from the Commission.

#### **ITEM 4 - FORMATION OF SMALL BUSINESS COMMISSION SUBCOMMITTEES.**

- Commissioner Cornell stated that the purpose of the subcommittees stems from a Forum recommendation. He stated that the formation of subcommittees would allow the Commission to get more work done in a timelier fashion. Each subcommittee would have two or three Commissioners who would then meet (separate from the Commission), on issues related to the specific committee. He stated that the subcommittee meetings would also be announced and open to the public. The subcommittee members would then report their findings or make recommendations related to their subcommittee meetings back to the Small Business Commission.

- Commissioner Murphy-Reed requested that a subcommittee be formed related to outreach and community building. She also suggested that a subcommittee be formed relating to procurement and workforce development

- Commissioner Salma requested that a subcommittee be formed to oversee finance and budget issues. He also requested that a subcommittee be formed to oversee business development and government relations. Finally he requested that a subcommittee be formed to oversee technology and transportation issues.

- Scott Hauge a member of the public stated that over the next year it is very important that the Small Business Commission work closely with the Department of the Environment on it's energy grant. He stated that maybe it could be worked into one of the existing subcommittees just introduced. He stated that this energy grant is an outreach that is going out to over six thousand businesses. He also stated that workforce development is also very important to address.

- Commissioner Cornell stated that it could be worked into the outreach and community building subcommittee.

Action: Commissioner Salma moved to approve the five subcommittees introduced, Commissioner Murphy-Reed seconded. Unanimous approval from the Commission.



#### ITEM 5 - PRESIDENTS REPORT

- Commissioner Cornell thanked Rosalie Bulach of Namefinders for the information she provided for the market research study on businesses. He talked about the Mayor's America: Open for Business Week campaign that will promote business in San Francisco and invite people to come to the city. Finally he announced that Commissioner Vicki Bamba was no longer a Commissioner on the Small Business Commission and said that a replacement Commissioner would be sworn in the next day. He reminded the Commission about the event co-sponsored by SBC on November 8th for the National Small Business United at the Franciscan restaurant. He said that he had directed the Director of the Commission to get the word out to the SBC contact list.

#### ITEM 6 - DIRECTORS REPORT

- Director Hwang, announced the revised Getting a Business Started booklet. He talked about the Mayor's campaign stating that the Mayor had named Jennifer Kass of MOED, and himself to head the campaign.  
- Commissioner Kaplan pointed out a collation problem with the booklet.

#### ITEM 7 - NEW BUSINESS

- Commissioner Murphy-Reed requested to have one or more of the heads of the Procurement Office appear before the Commission as an agenda item. She also stated that she was still waiting to get the directory of the Commissions from Director Daniel Hwang.

#### ITEM 8 - GENERAL PUBLIC COMMENT

Action: No action taken. Discussion item only.

#### ITEM 9 - ADJOURNMENT

Action: Commissioner Salma moved to adjourn the meeting. Commissioner Murphy-Reed seconded. Meeting was adjourned at 7:49 PM.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**



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**Notice of Meeting & Agenda for Tuesday, November 13, 2001**  
**1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 408- 6:30PM**  
**SMALL BUSINESS COMMISSIONERS**

*Stephen Cornell – President*

*Jose Najjar – Vice President*

*Gwen Kaplan, Dick Mak, Yasin "Sal" Salma, I. Lee Murphy-Reed, Nick Aiello*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

**Action Item**

*Presentation, discussion, and possible action to approve the October 10<sup>th</sup> and October 25<sup>th</sup> meeting minutes*

*Explanatory Documents: Draft Minutes from October 10<sup>th</sup> and October 25<sup>th</sup> meeting.*

**3. GENERAL PUBLIC COMMENT**

**Discussion Item**

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. PRESENTATION ON RESOLUTION RECOGNIZING SAN FRANCISCO NEIGHBORHOOD MERCHANTS**

**Action Item**

*[Presentation by Supervisor Leland Yee]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors regarding resolution*

*Explanatory Documents: File 011811*

**5. PRESENTATION ON THE PROPOSED PRESIDIO TRUST IMPLEMENTATION PLAN**

**Action Item**

*[Presentation by Jim Maxwell, President of the Marina Merchants Association & member of the Presidio Neighborhood Representative Work Group]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors and/or the Mayor regarding the PTIP.*

*Explanatory Documents: City Planning letter to the Trust and other department letters to Planning*

**6. PRESENTATION AND DISCUSSION ON THE CLOSING OF TWO MOVIE HOUSES ON CHESTNUT STREET AND THE EFFECTS TO THE SURROUNDING SMALL BUSINESSES AND COMMUNITY**

**Action Item**

*[Presentation from Jim Maxwell, President of the Marina Merchants Association, and Presentation from Brett Gladstone, Representative for Gorilla Sports, & other small business people]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors, the Mayor, and the Planning Commission regarding this issue.*

*Explanatory Documents: Brief from Gladstone and Associates re: Conversion of Presidio Theater into Gorilla Sports*

**7. NOMINATION & ELECTION OF PRESIDENT OF SMALL BUSINESS COMMISSION**

**Action Item**

*Presentation, discussion, and possible action to nominate and elect a President of the Small Business Commission*



City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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**8. NOMINATION & ELECTION OF VICE PRESIDENT OF SMALL BUSINESS COMMISSION**

Action Item

*Presentation, discussion, and possible action to nominate and elect a Vice President of the Small Business Commission*

**9. PRESIDENT'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*

**10. DIRECTOR'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*

**11. NEW BUSINESS**

Discussion Item

*This item allows the Commissioners to introduce new agenda items for future consideration.*

**12. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*

**13. ADJOURNMENT**

*Requires motion and public comment.*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION**

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**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. PRESENTATION AND DISCUSSION ON PROPOSED ORDINANCE RESTRICTING THE ACCESS OF HYDROFLUORIC ACID (File No. 011755)**

Action Item

*[Presentation by Supervisor Peskin's office]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors regarding the proposed ordinance restricting the access of hydrofluoric acid*

Explanatory Documents: File 011755 & Legislative Digest

**5. PRESENTATION ON THE PROPOSED PRESIDIO TRUST IMPLEMENTATION PLAN**

Action Item

*[Presentation by Jim Maxwell, President of the Marina Merchants Association & member of the Presidio Neighborhood Representative Work Group]*

*Presentation, discussion, and possible action to make recommendations to the Board of Supervisors and/or the Mayor regarding the PTIP.*

Explanatory Documents: City Planning letter to the Trust and other department letters to Planning

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**City and County of San Francisco**  
**SMALL BUSINESS COMMISSION**

***Agenda Continued***

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Action Item

*Presentation, discussion, and possible action to nominate and elect a President of the Small Business Commission*

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## City and County of San Francisco Small Business Commission



November 13, 2001

CITY AND COUNTY OF SAN FRANCISCO

SMALL BUSINESS COMMISSION

City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

### MEETING MINUTES

Tuesday November 13, 2001 6:30 PM

Commissioners Chamber Room 408

\_\_\_\_ Small Business Commissioners \_\_\_\_

Stephen Cornell - President

Jose Najjar - Vice President

Gwen Kaplan, Dick Mak, Yasin "Sal" Salma, I. Lee Murphy-Reed, Nick Aiello

Director Daniel Hwang

Commission Secretary Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Dick Mak, Nick Aiello

Members Absent: Jose Najjar

Call to order:

ITEM 1 - ROLL CALL

> The Small Business Commission met on November 13, 2001 in regular session. The meeting was called to order at 6:46 PM.

## ITEM 2 - APPROVAL OF MINUTES FOR OCTOBER 10TH AND 25TH, 2001 MEETINGS.

Action: The Commissioners unanimously approved the minutes as submitted.

## ITEM 3 GENERAL PUBLIC COMMENT

> There was no public comment taken at this time.

## ITEM 4 PRESENTATION AND DISCUSSION ON PROPOSED ORDINANCE RESTRICTING THE ACCESS OF HYDROFLUORIC ACID (File No. 011755)

> Wade Crawfoot of Supervisor Peskin's Office stated that the legislation mainly attacks graffiti, but added that it may effect small businesses. He said that members of the Union Square Association first brought the issue to Supervisor Peskin's office. One department store in particular, belonging to the association had been targeted by this type of graffiti, and had incurred costs of 75 thousand dollars. He stated that this type of graffiti is in the form of glass etching. He said that the legislation would limit access to products that can be used to etch glass, and added that it is modeled after restrictions on spray paints. A number of neighborhood groups, the Union Square Association, and a number of city employees who remove the graffiti support it.

> Commissioner Murphy-Reed asked what the legislation would actually do, and she asked about the perpetrators.

> Wade Crawfoot stated that the legislation is not a solution to the problem, but it is a way to make it harder to get the tools to do this with. He mentioned Officer Chuck Linburt, who works out of the Mission Police Station, and said that he is the key person on the issue of graffiti. He said that there are programs that make it so that the people involved in the acts of graffiti once caught are required to personally clean the graffiti. He stated that in general the people involved in graffiti are young people, but said that there are some adults as well. He added that the intent is not to put such kids away, but rather to deter them from doing it in the future.

> Commissioner Cornell expressed his concern with the idea that if you lock up one thing the problem is solved, and said that the perpetrators would only find some other way to do their work.

> Patricia Vaughey, a member of the public and President of the Marina Cow Hollow Neighbors and Merchants Association expressed her support for the proposed ordinance.

Action: Commissioner Salma made motion support Supervisor Peskin's proposed legislation that would restrict the access of hydrofluoric acid. Commissioner Kaplan seconded. Unanimous approval from the Commission.

## ITEM 5 PRESENTATION ON THE PROPOSED PRESIDIO TRUST IMPLEMENTATION PLAN

> Jim Maxwell, President of the Marina Merchants Association, and member of the Presidio Neighborhood Representative Work Group expressed his concerns with the draft Presidio Trust Implementation Plan (PTIP) as well as the Environmental Impact Study (EIS). He stated that one main issue that should be of concern to the Small Business Commission, which is the main reason for his bringing this before the Commission, was the issue relating to taxes. He stated that the Presidio is a tax free duty zone, meaning that businesses that locate there are not, and will not be required to pay any taxes. This will result in a huge loss of revenue for the city, and create an unfair advantage to those businesses in the Presidio. Furthermore he informed the Commission that the PTIP calls for 2.5 million square feet of commercial space, excluding the Letterman development. He stated that the draft plan would establish a business park within the park boundaries. This is equivalent to more than four Transamerica pyramid buildings. On a human scale he stated that the



development would translate to over 17 thousand office employees, potentially 6,000 industrial warehouse users, 10-20 thousand visitors of the lodging and conference centers, and upwards of 45 thousand users of educational and cultural facilities on any given day. He stated that while the Presidio's projected 12 million visitors per year would seem like a dream to the surrounding small businesses, it might not benefit them because of the duty free tax zone inside the Presidio. Businesses in the Presidio would be exempt from state and local taxes, business licenses and restrictions imposed by the city, hotel taxes, parking taxes and fees as well as other levies. He urged the Commission to stay on top of the tax issue at the Presidio, and to recommend that the Board of Supervisors take action on this issue by asking the Trust to define exactly what was meant by the PTIP with respect to the application of taxes. Furthermore, he urged the Commission to recommend that the Board of Supervisors take action on a resolution proposed by the Work Group. The resolution asks that no final action be taken with respect to signing the final lease agreement for the Letterman site prior to the final resolution to the plan and EIS. He stated that the implication with regard to this is that any signing of a lease agreement could prejudice the selection of the final plan.

> Commissioner Salma asked if the Presidio currently gets its power and water from the City, and asked if the City is required to provide such utilities to the Presidio.

> Jim Maxwell stated that currently the Presidio does receive its water and power from the City, and stated that the Presidio is currently treated like any other customer. He said that this issue is an ongoing contract negotiation between the Presidio and the Public Utilities Commission.

> Commissioner Murphy-Reed asked to clarify that the Presidio would essentially be free of all taxes.

> Jim Maxwell stated that tenants pay fees to the Trust, but the City does not get any of these fees.

> Commissioner Cornell asked if there was any other National Park such as the Presidio that is in such close proximity to a municipality.

> Jim Maxwell stated that this is a unique situation, and added that there is also a housing component of the plan adding to the uniqueness of the park.

> Commissioner Murphy-Reed asked about the proposed tenants of the park buildings, and asked him to state again what he wants the Commission to do.

> Jim Maxwell stated that the plan calls for development that includes retail, commercial, educational/cultural centers, lodging/hotel, in addition to housing which is presumably for on site tenants. He requested the Small Business Commission to address the following: The Small Business Commission should recommend that the Board of Supervisors adopt a resolution which has been forwarded to them by the Work Group, regarding the final lease agreement for the Letterman site. It states postponing the signing of the final lease agreement until after the final plan is presented and the EIS comments addressed. Secondly, the Small Business Commission should urge the Board of Supervisors to pursue the issue of tax revenue at the Presidio. Finally, the Small Business Commission should reinforce the resolution drafted by the Board of Supervisors, which states giving priority to fiscally responsible tenants, that future developments are addressed individually with individual environmental reports, and that future developments require community involvement.

> Patricia Vaughney a member of the public and President of the Marina Cow Hollow Neighbors and Merchants Association expressed her support for the motion and spoke on the gravity of the plan in regards to the Northeast quadrant of the Presidio. She said that the plan is a gross over-development and will only hurt the surrounding neighborhoods. She mentioned the traffic problems that such a plan would create.

> Beverly J. McCallister, a member of the public and representative of the Pacific Heights Residents Association on the Work Group expressed her support for the motion and recommended that the Commission support amending the Presidio Trust Act Sec. 103 C9, the section on taxes. She said that the Presidio should not be a tax

free zone and said that the first step in amending the Presidio Trust Act is to support holding a Senate Congressional hearing in San Francisco. She asked that the Commission support that as well.

> Lesly Leonhardt, a member of the public and representative of Union Street Association expressed her support of the motion. She also expressed her frustration with the notion of the Presidio being a tax free zone.

> Joan Girardot, a member of the public and Chair of the Presidio Neighborhood Representative Work Group supported the motion and the four components of the motion put forth by Jim Maxwell. She stated that the neighborhood groups had asked that the City Attorney and the Controller be included in the Work Group specifically to address the issue of taxes, to help them understand what was meant by the sentence referring to taxes in the Plan. However, that the Controllers office nor the City Attorney's office did not have any comments by the time the comments were due on the 25th of October. She urged the Commission to join with the Work Group to continue to press this issue and get the answer from the City regarding taxes.

> Mark Zier a member of the public and resident of San Francisco, expressed his support for the motion and asked the Commission to question why the Trust added the clause relating to taxes. He stated that by 2003 the Presidio would be generating 60 million, more income than it takes to run the park, thus there is no need for concessions of this sort.

> Gloria Fontanello, a member of the public and founder and President of the Marina Neighborhood Association expressed her support for the motion and said that she thought a lot of San Franciscans believed that the Presidio was going to give them a National Park for recreation not for commercial purposes.

Action: Commissioner Murphy-Reed moved to approve the recommendations as presented by Jim Maxwell (see page 2 for list of recommendations). Commissioner Kaplan seconded. Commissioner Salma stated that he wished to amend the motion to include that President Cornell write a letter regarding this motion to Nanci Pelosi, Barbara Boxer, and Senator Dianne Feinstein asking for their support particularly on the issue of taxes. Commissioner Murphy-Reed accepted the amendments. The Commission unanimously approved the motion with amendments.

#### **ITEM 6 PRESENTATION AND DISCUSSION ON THE CLOSING OF TWO MOVIE HOUSES ON CHESTNUT STREET AND THE EFFECTS TO THE SURROUNDING SMALL BUSINESSES AND COMMUNITY.**

David Shipper, the City Attorney, advised Commissioner Salma not to participate in the discussion of this item due to the possibility of a conflict of interest.

> Commissioner Salma excused himself from the meeting, and did not participate in the discussion of the item.

> Jim Maxwell, President of the Marina Merchants Association (MMA) and speaking mainly on the closing of the Presidio Theater on behalf of the Marina Merchants Association stated that they would like all their neighborhood theaters to remain open. He stated that MMA contacted both the owners and representatives of both Cinema 21 and the Presidio Theaters back in May urging them to keep the theaters and leasing the spaces to groups that would preserve the single screen theaters. One such group was Real Cinema. At this time many people responded writing letters of support and a meeting was held including presentations by Brian Chaney of Real Cinema and TJ Bianchi of Dear Field Realty Corporation, owner of the Presidio Theater space. He stated that at this time it was made clear to them (MMA) that in the case of the Presidio Theater, a new tenant was being sought only because the tenant wished to end their lease early due to a failing attendance. He stated that while members of the community could have done their part to keep the theater open by attending the theater on a more consistent basis, likewise the theater operator could have provided better movies and/or goods to attract more business. Prior to this he stated that he had been to the Northwest where he had been impressed with the success of a company that has revitalized single screen theaters in a variety of neighborhoods. He stated that Real Cinema's idea could work however they felt that Cinema 21 would better fit their vision. In addition, by the time Real Cinema

contacted TJ Bianchi with their proposal, they already had ongoing negotiations with Gorilla Sports going back almost a year. In essence Real Cinema came in second place. He stated that in a meeting held in August MMA offered Gorilla Sports an opportunity to present their plan and they also heard from the building owner at that time. Upon reviewing the proposed plan MMA asked that any future developments include the following: keep historic nature of the theater intact, including the storefront marquee. Insure that the small businesses that are part of the property, including Bechelli's and the Ochlerium remain. That any new paint scheme continues to set theater apart from the current Gorilla Sports location and the store adjacent. That removal of the theater infrastructure is kept to a minimum so that if a future tenant wished to operate a theater they could with minimum expense. That the existing theater doors be used for emergency exit only. And finally that every effort should be made to minimize any disruption of traffic and business on Chestnut Street during any construction process. He stated that the representative from Gorilla Sports and the Bianchi family voluntarily agreed to meet the requirements. In addition he stated that MMA asked that the Planning Department make any conditional use permit applicable to this single tenant only, meaning that any future changes in use or change in tenant would require a separate conditional use permit. He submitted a copy of the letter sent to the Planning Department with respect to the application for conditional use. He stated that the reason they sent the letter was because the Planning Department was holding the application because they thought MMA was against the proposed conversion. He stated that business is needed on Chestnut Street and the goal was to preserve the theater and this use seemed that it might do that. He stated that they realize that both theaters on the street would probably not be preserved due to the harsh economic times. He spoke briefly on the proposed Walgreen's at the Cinema 21 space, and said that this proposal would drastically alter the street space and the character of Chestnut Street forever. He stated that the process has already evicted or caused to move two small businesses that added to the diversity of the neighborhood. He stated that the proposed expansion of Walgreen's would create a warehouse size retail outlet right in the heart of Chestnut Street approaching 16 thousand square feet. He stated that this would add semi truck traffic to an already congested neighborhood. He added that there is already a Walgreen's at the corner of Divisadero and Lombard. Furthermore he said that Cinema 21 has not responded to their request to consider other options. The MMA has asked for a discretionary review of the project to impede that this project goes through without first answering to the neighbors and businesses of the community. He submitted a copy of the letter sent to the Planning Department regarding Cinema 21. He stated that they felt that they are doing the right thing by preserving at least one theater for future use.

> Commissioner Cornell asked about the square footage of the Cinema 21 theater. He also asked about parking requirements.

> Jim Maxwell responded saying that the existing Walgreen's is in excess of the 4000 square foot limit in the neighborhood, and the theater is roughly another 10 thousand square feet. On the parking issue he said that Planning would have to answer that.

> Joan Girardot, a member of the public raised a point of order asking the City Attorney what authority the Small Business Commission has.

> David Shipper, deputy City Attorney stated that the Small Business Commission has a broad mandate to address small business issues in the City and they can make a recommendation to the Planning Commission just as they can to the Board of Supervisors and the Mayor as to what action they think is in the best interest of small businesses in the city. He stated that it is mainly a recommending power to other entities in the city.

> Patricia Vaughney, a member of the public and a member of the Marina Cow Hollow Neighbors and Merchants stated that an ad was posted in the Marina Times, and subsequently another ad was posted stating that the Presidio Theater was a done deal. As such a subsequent flyer was distributed to the neighbors informing them that it was not a done deal and that they wanted to know what the surrounding merchants

wanted. She said that of the 128 merchants within Chestnut Street and it's side streets, 78 have voted for the Presidio Theater to remain a theater and 14 have voted in favor of the gym. She stated that the votes are being sent via mail and being counted by someone outside of the neighborhood that has nothing to gain either way. The votes will then be recounted by a group of teenagers as part of their community service. She stated that there are enough gyms in the neighborhood and expressed her concern with the parking situation if the proposed plan goes forward. Furthermore she expressed her concern for the disregard for zoning rules if this project is approved and questions the purpose of zoning rules if such mass expansions are allowed. The zoning limit in the neighborhood is currently 3,999 square feet; the proposed expansion would create a space of roughly 20 thousand square feet.

> Gloria Fontanello, a member of the public expressed her concern over the proposed expansion and provided the Commission with a visual of what Chestnut Street has become. She stated that one could find a Pottery Barn, Williams Sonoma, Victoria's Secret, and three Gaps. She said that many people have commented that Chestnut Street is like a strip mall. She commented on the traffic problem due to such businesses, and added that recently they had to fight the removal of 14 parking meters, which she said the Department of Parking and Traffic wanted to change to yellow zones due to the Teamsters Union needing more spaces for deliveries.

> TJ Bianchi, part owner of the Presidio Theater addressed what he referred to as misconceptions. He stated that early in the year 2000 the Presidio Theater tenant came to them requesting an early termination of their lease. He stated that less than 30 tickets were being sold per day, and that he had agreed to work with the theater tenant because he had been a long time tenant. He stated that they did attempt to contact some theaters including the Redford Theater Group. They continued to ask around to find out who might be interested in a single screen theater and found that there was not much interest in them. He stated that for better or worse by late spring of 2000 they had two written offers, one from Gorilla Sports and the other from Anthropology. He stated that Gorilla Sports, having originated as a small business in San Francisco and already a booming business in the neighborhood seemed like the obvious choice. By July of 2000 they were in the middle of negotiating a formal lease document with Gorilla. In September of that year another potential tenant, the Real Cinema Group approached them, with a proposal for a restaurant brewpub theater. He stated that he told them from the very beginning that he was already deep in negotiations with another tenant, and said it was bad business to drop a client midway through a long process, not to mention the potential liabilities for their expenses. He stated that he thought the issue was dead until he saw a blurb in the Marina Times stating that Real Cinema Group felt that they were being ignored by landlords, essentially getting a raw deal while looking for space. As a result he decided to attend the MMA meeting that Jim referred to, where in fact Real Cinema did express that feeling, however they made an exception stating that they felt they had been treated fairly by the Bianchi family. He stated that a misconception is that they are trying to run out the Presidio Theater, when in fact the theater came to them wanting to get out of their lease early. Another misconception is the notion that movie theaters are the bread and butter for local restaurants, he stated that he did not see how that would be possible if the theater is only selling 30 tickets a day. Another issue he addressed was the idea that there are already too many gyms in the area, nevertheless, Gorilla Sports still manages to pack people in. Finally he addressed the comment which stated that it took a community uproar for the Occularium and Bechellij's to be allowed to stay. He said that in the lease document with Gorilla it stated that Gorilla will never have the option to move into the Bechellij's or the Occularium spaces without them first relinquishing them.

> Brett Gladstone, representing Gorilla Sports, stated that Gorilla recently converted the Alhambra Theater, which received a lot of support. He submitted letters and

petitions from 400 people in the Marina in favor of the conversion of the Presidio Theater. He also submitted 19 letters from merchants in the neighborhood that are also in favor of the conversion. He stated that about 80% of the membership of Gorilla Sports come from the immediate area. He addressed Commissioner Cornell's concern with parking in the area and said that they conducted a survey which found that 82% of the current Chestnut Street Gorilla members take MUNI, walk or bike to the site. He stated that there would not be a parking impact from the expansion of Gorilla Sports. He addressed the poll conducted by Ms. Vaughney and said that it was an embarrassment. He stated that it asked, would you like a theater or would you like a gym. He said that Bally's is not doing just a gym and Real Cinema is not doing just a theater. He stated that the ad should have said do you want a restaurant bar with movies or do you want a gym with movies. He stated that Gorilla Sports intends to show movies on the screen like it has been done on Chestnut Street at the Presidio Theater for over 30 years. He said that he has a meeting with independent filmmakers on Friday and said that he has been talking to them for months and said that they would be showing films at the Alhambra and the Presidio Theaters. He cautioned the Commission to think about the question that was asked when Ms. Vaughney states that 78 people responded in favor of the Presidio Theater. He added that they have agreed to all the project modifications that the Marina Merchants Association have requested and said that they have the support of Heritage. He also said that his client have not made dramatic changes inside the Alhambra and likewise is planned for the Presidio, so that if some day someone wishes to go back to single screen theaters it would not be difficult to do so. He commented on the fact that single screen theaters are not making it in this economy. He said that Supervisor Gavin Newsom had hearing regarding this matter, and said that it is a complex issue.

> Brett Gladstone (continued) He requested that the Commission not take any action on the issue at the moment, but rather that the item get continued until further comments could be heard with respect to single screen theaters and why they are not making it. He stated that many people that could comment on this had not been notified and that he only found out about the hearing on Thursday prior to the meeting.

> Commissioner Kaplan asked who owns Gorilla Sports.

> Brett Gladstone stated that Gorilla Sports started on Chestnut Street at it's current location and occupied that site as its sole site up until roughly a year ago when it was purchased by a national organization. Bally's now owns Gorilla Sports, and it owns a bunch of workout places, one more commonly known as Pinnacle Fitness. He stated that Pinnacle is a sister company within the national company.

> Commissioner Murphy-Reed asked about community services offered by Gorilla Sport, including the question which states, does Gorilla Sports offer scholarship program for the community.

> Tracy Shwartz, a Gorilla Sports staff member, stated that Gorilla Sports does offer scholarships nationwide, but said that she could not comment specifically on San Francisco since she had just recently moved here from Chicago. She also added that Gorilla Sports does not receive any deliveries via big trucks. For the record she also stated that Gorilla Sports does not offer the bar methods or the daily method of exercise.

> Brett Gladstone stated that they would get back to the Commission with more specific information regarding the question of scholarships.

> Brian Chaney, a member of the public and one of three partners representing the Real Cinema Group. He echoed what was said by T.J. Bianchi regarding Real Cinema Group's offer to the Bianchi family. He stated that they were treated fairly and agreed that they came in second place. He expressed his interest in having open communication with the community members regarding the issue at hand, and said that he would answer any questions that may arise. He spoke on the ad in the Marina Times Newspaper, and said that Real Cinema did not write it. He said that a neighborhood group put the ad in the paper and he clarified that it did state that Real



Cinema wished to retain the character of the building but would continue to use it for cinema with a full service restaurant. He addressed the issue of single screen theaters, and said that while people think that single screen theater are a business concept that can't work. He stated that they could work and cited examples such as McMiniums in Portland, Cinema Grill, and Parkway Theater in Oakland. He stated that Real Cinema Groups idea is one of a community gathering place including live music, talent, food and movies.

> Calvin Lee, a member of the public and owner of a jewelry store on Chestnut Street stated that the theaters bring in a lot of people from other neighborhoods that don't normally come to the Marina. He stated that Gorilla Sports clients are primarily from the Marina. He expressed his belief that San Francisco should retain it's single screen theaters even though they can not compete with the large multi-plex theaters.

> John Hoeber, a member of the public and owner of Body Kinetics stated that although his business is a bit different in nature to Gorilla Sports, and although they do OK, the competition would nonetheless hurt his business. He said that the issue is a matter of character, big versus small, and added that zoning requirements usually protect neighborhoods in such cases, but questioned if they would in this case. He also stated that Bally's is the largest fitness company in the nation and the only publicly traded fitness company in the nation.

> Joan Girardot, a member of the public and member of Marina Civic Improvements Property Owners Association, stated that they understand the benefit to Bally's, Gorilla Sports, the Bianchi family, and Mr. Sayufi (the tenant), but they are concerned with the zoning issue with respect to this proposed expansion. She stated that zoning must be limited, adding that 20,000 square feet can not be rationalized in an area zoned for 4,000 square feet.

> Harold Hoogasian, a member of the public and three times past president of the Marina Merchants Association. He encouraged the Commission to take action on this issue at once, and vote against the expansion. He stated that Chestnut Street has changed tremendously over the years and said that this was disturbing to him.

> David Silverman, a member of the public and representative of Ray Kiliski, the owner of 2141 Chestnut, formerly Cinema 21. He requested that the Commission exclude Cinema 21 from any recommendation made by the Commission until they have had a chance to prepare and present to the Commission. He stated that they had not been notified of the hearing prior to tonight.

> Milt Seropan, a member of the public and past president of the Marina Merchants Association. He questioned if single screen theaters would work and said that while one might work, he did not think that two would work. He said that it seems that it is "us" against Gorilla, or against Walgreens, but that's not the case. He said the issue people have with the proposed expansion relates to the 20,000 square foot space that it would create, and the total disregard for zoning rules if it is approved. He said he is not against chain stores as long as they stay small and are diversified. He expressed his concern for the future use, post Gorilla, of such a large space if the project gets approved.

> Brett Gladstone, on behalf of Gorilla wished to address some points that were brought up, one having to do with parking. He restated that 85% of Gorilla clients do not drive to the gym. He stated that Gorilla sought a variance for parking and got it on the condition that they find 10 parking spaces within 500 feet of the site. A year or so later they went back to the Planning Department and told them that their members were not looking for parking spaces nor could they find them because the merchants wanted them. He stated that the Planning Department agreed and had a variance hearing that was open to the public to discuss this matter. From that meeting, the Planning Department decided to take away the requirement of the 10 parking spaces. He stated that it was not renegeing, and said that they did not violate their permits on Chestnut Street. He requested that the Commission look at the two

theaters differently, adding that there is an existing Walgreens in the neighborhood, and in the other case two tenants were evicted, while Gorilla intends to keep the two tenants. The retail portion of Gorilla Sports includes the sale of juices and small clothing items, adding that the sale of such items would continue.

> Commissioner Kaplan thanked the members, past and present of the Marina Merchants Association. She stated that a theater is a community treasure and said that more are needed not less. She expressed her concern for the disregard of zoning rules if in fact the expansion occurs. She agreed to table discussion of Cinema 21.

> Brett Gladstone re-stated his request that the item be continued. He stated that he did not receive notice of the hearing until Thursday and said that he would have liked to bring more Gorilla Sports staff members to address some of the questions heard tonight. He stated that it would be unfair to treat Gorilla Sports any differently from Cinema 21. He stated that he did not feel that the legal notification requirement had been satisfied, adding that an email from the Commission Secretary the Thursday evening of the week before the meeting was not enough notice. He stated that they feel that the Brown Act has been violated, he said that he did not intend to pursue it, but rather to bring it to the attention of the Commission and advised that the city attorney advise the Commission.

> Harold Hoogasian stated his approval for the motion and asked that a vote be taken tonight.

> Patricia Vaughey stated that the Brown Act calls for 3 working days, and said that the notice to Mr. Gladstone was within the time. She stated that she gets notices of the Supervisors meeting on Thursdays for Monday's meeting on a regular basis.

> Lesli Leonhardt urged the Commission to support the motion and expressed her support for the Commission.

> Brett Gladstone stated that Saturday is not a business day and Monday was not either, due to the legal holiday. He stated that he did not receive the notice until Thursday afternoon.

> Commissioner Cornell stated that the City Attorney had informed him that the notice was in fact distributed within the allotted time. He stated that a presentation from Cinema 21 representatives would be continued because they had not been contacted. He explained that the Commission staff did not have a contact name, therefore could not contact a specific person regarding Cinema 21. He clarified that the Commission is an advisory body to the Mayor, the Board of Supervisors, and any City Department or Commission.

> Commissioner Murphy-Reed asked Mr. Gladstone if there was an alternative site for the proposed expansion.

> Brett Gladstone said that the site next door is the only site they are considering for the expansion.

Action: Commissioner Kaplan moved to make a recommendation to the Planning Commission in support of keeping the Presidio Theater a theater. Commissioner Mak seconded. Unanimous approval from the Commission, absent Commissioner Salma.

#### **ITEM 7 NOMINATION & ELECTION OF PRESIDENT OF SMALL BUSINESS COMMISSION**

> Commissioner Kaplan stated that she wished to nominate Stephen Cornell for President of the Small Business Commission. She thanked Stephen Cornell for a job well done in taking the Commission from an advisory Commission to a full-fledged Commission. She wholeheartedly supported his leadership skills in the small business community and at City Hall.

Action: Commissioner Kaplan nominated Stephen Cornell for President of the Commission, Commissioner Murphy-Reed seconded. Unanimous approval from the Commission.

#### **ITEM 8 NOMINATION & ELECTION OF VICE PRESIDENT OF THE COMMISSION**

Action: Commissioner Mak nominated Yasin "Sal" Salma for Vice President of the Commission, Commissioner Aiello seconded. Unanimous approval from the Commission.

**ITEM 9 PRESIDENT j's REPORT**

> Commissioner Cornell commented on the events of the meeting at hand. He stated that it was a lot of work for staff to put together in such short notice, and commended the efforts of staff. He also talked about the Mayor's Open for Business Week in San Francisco. He talked about the merchant walks as being part of the campaign.

Action: No action taken. Discussion item only.

**ITEM 10 DIRECTOR'S REPORT**

> Director Hwang welcomed Commissioner Nick Aiello to the Small Business Commission and said that he looked forward to working with him. He also thanked Commissioner Mak and President Cornell for coming out Monday in the rain for the merchant walk which was cancelled at the last minute due to the tragic plane crash in New York. He talked about the seven walks of that day, which included 3 football players from the San Francisco 49er's and many other people as well. He added to Commissioners Cornell's comments about the campaign, stating that billboards are up from Carmel to Napa. He also said that SF Convention & Visitors Bureau launched a 5 million-dollar statewide television and radio campaign to promote San Francisco. He said that the request to invite city departments to speak on the issue of the streets had been continued until December. He addressed Commission Murphy-Reed stating that he is working on the Commission books, and confirmed that a representative from one division of the Procurement Office would be at the December meeting.

> Commissioner Kaplan commented on the problems and the challenges faced by many small businesses in the New York area, effected by the events of September 11th. She stated her deep concern with the difficulties they face, and with the fact that it could happen here with an earthquake for example.

> Commissioner Murphy-Reed commented on the new guidelines at the airport and said that there may be a rebellion because people are not used to being treated as such.

Action: No action taken. Discussion item only.

**ITEM 11 NEW BUSINESS**

> No new business at this time.

**ITEM 12 GENERAL PUBLIC COMMENT**

> Joan Girardot stated that the city departments and the neighborhood groups on the Presidio Neighborhood Representative Work Group were on the same page with respect to the proposed PTIP. She said that they have asked the Trust to look at alternatives of less density of use, less intensity, than the 6 that they offered. She stated that the Work Group would welcome anything that the Commission could do to join their position regarding the Presidio. She stated that at some point there would need to be a congressional hearing in San Francisco because there is simply no one requesting more development at the Presidio. She said that everyone wants a park, they want the smallest economically viable project, and that has not been identified yet.

> Richard Allman a member of the public asked the Commission if they would be interested in a presentation, in line with the city departments presentations on the issue of the cleanliness of the streets, from a program/organization that is successful in working with property owners and merchants as a model community based program.

> Jim Maxwell echoed Joan Girardot's comments regarding pressing the congressional hearing in San Francisco.

> Commissioner Salma welcomed and introduced Commissioner Nick Aiello, stating many of his achievements and contributions to the business community, in particular his work in the Mission District of the City.

**ITEM 13 ADJOURNMENT**



Action: Commissioner Salma moved to adjourn the meeting. Commissioner Aiello seconded. Meeting was adjourned at 9:27 PM.

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City and County of San Francisco  
**SMALL BUSINESS COMMISSION** DOCUMENTS DEPT



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**Agenda & Notice of Meeting for Monday, December 10, 2001**  
**1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 - Room 400- 5:30PM**  
**SMALL BUSINESS COMMISSIONERS**

*Stephen Cornell – President*

*Yasin "Sal" Salma – Vice President*

*Gwen Kaplan, Dick Mak, I.Lee Murphy-Reed, Nick Aiello, Jose Najjar*

*Director – Daniel Hwang*

*Commission Secretary – Martha Yanez*

**Agenda**

**1. ROLL CALL**

*Call of roll of the Small Business Commissioners*

**2. APPROVAL OF MINUTES**

Action Item

*Presentation, discussion, and possible action to approve the November 13<sup>th</sup> meeting minutes*

Explanatory Documents: Draft Minutes from November 13<sup>th</sup> meeting.

**3. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's future consideration*

**4. PRESENTATION ON THE CITY & COUNTY OF SAN FRANCISCO PURCHASING DEPARTMENT'S PROFESSIONAL SERVICES DIVISION**

Discussion Item

*[Presentation by Director of Purchasing, Judith Blackwell]*

*Presentation and discussion only*

**5. PRESENTATION AND DISCUSSION TO ADDRESS THE NATURE OF THE STREETS OF SAN FRANCISCO**

Discussion & Possible Action Item

*[Presentation by Commander Greg Suhr, Patrol Commander for the Police Department, Mohammed Nuru, Deputy Director of Operations, and Richard Allman and James Brady of Tenderloin Sidewalk Improvement Program]*

*Presentation, discussion, and possible action to make a recommendation to one or various City entities regarding the nature of San Francisco's streets.*

**6. PRESENTATION AND DISCUSSION ON THE PROPOSED COFFEE "CAFÉ" TO BE ADDED AT THE REMODELED BART STATION AT THE CORNER OF 16<sup>TH</sup> STREET AND MISSION STREET**

Discussion & Possible Action Item

*[Presentation from Mr. Nick Heydarian, owner of City Blend Cafe]*

*Presentation, discussion, and possible action to make a recommendation to BART and/or other City entities regarding the proposed "Café" addition at the remodeled Bart Station at 16<sup>th</sup> Street and Mission Street*



City and County of San Francisco  
SMALL BUSINESS COMMISSION

*Agenda Continued*

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**7. PRESIDENT'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*

**8. DIRECTOR'S REPORT**

Discussion Item

*This item allows the President of the Commission to report on recent small business activities and make announcements.*

**9. NEW BUSINESS**

Discussion Item

*This item allows the Commissioners to introduce new agenda items for future consideration.*

**10. GENERAL PUBLIC COMMENT**

Discussion Item

*This item allows members of the public to comment generally on matters within the Commission's purview, as well as to suggest new agenda items for the Commission's future consideration.*

**11. ADJOURNMENT**

*Requires motion and public comment.*

\* Public Comment will be taken before or during the Small Business Commission's consideration of each agenda item.

\*\* Explanatory Documents: Copies of explanatory documents listed in this agenda, and other related materials received by the SBC after the posting of the agenda, are available for public inspection and/or copying at City Hall room 448. Please call Martha Yanez (415) 554-6134 to make arrangements for pick up or review.



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Donna Hall, Administrator  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724  
Fax: (415) 554-5163  
E-Mail: [Donna\\_Hall@ci.sf.ca.us](mailto:Donna_Hall@ci.sf.ca.us)

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at [www.ci.sf.ca.us](http://www.ci.sf.ca.us).

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## City and County of San Francisco Small Business Commission

December 10, 2001



### CITY AND COUNTY OF SAN FRANCISCO

#### SMALL BUSINESS COMMISSION

##### City Hall

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

#### MEETING MINUTES

Monday December 10, 2001 5:30 PM

Commissioners Chamber - Room 400

\_\_\_\_Small Business Commissioners \_\_\_\_

Stephen Cornell - President

Yasin "Sal" Salma - Vice President

Gwen Kaplan, Dick Mak, Jose Najjar, I. Lee Murphy-Reed, Nick Aiello

Director - Daniel Hwang

Commission Secretary - Martha Yanez

Members Present: Stephen Cornell, Yasin Salma, I. Lee Murphy-Reed, Gwen Kaplan,  
Dick Mak, Nick Aiello

Members Absent: Jose Najjar

Call to order:  
ITEM 1 - ROLL CALL

- The Small Business Commission met on November 13, 2001 in regular session. The meeting was called to order at 5:41 PM.

#### **ITEM 2 - APPROVAL OF MINUTES FOR NOVEMBER 13TH, 2001 MEETING.**

Action: The Commissioners unanimously approved the minutes as submitted.

#### **ITEM 3 -GENERAL PUBLIC COMMENT**

- Cal Broomhead from the Department of the Environment, San Francisco, introduced the Project Manager for the newly named Power Savers Program. Mr. Hank Ryan will be making all future presentations/progress reports to the Commission regarding the Power Savers Program.

#### **ITEM 4 -PRESENTATION ON THE CITY & COUNTY OF SAN FRANCISCO PURCHASING DEPARTEMENT'S PROFESSIONAL SERVICES DIVISION**

- Judith Blackwell, Director of Purchasing thanked the Commission for inviting her to speak. She stated that the process for professional services contracts at the City & County of San Francisco (CCSF) are somewhat convoluted. She stated that different types of procurements are handled in different ways. Professional service contracts are not done through Purchasing; they are done primarily through the individual departments. She stated that individual departments are not required by City ordinance to send any information to the Purchasing Department regarding their request for proposal (RFP). However she stated that, when departments do inform Purchasing that they are going out for bid, Purchasing in turn treats it the same as other procurements within the department by putting it on the web-site. She stated that this is important because this provides a broad access for businesses both small and large to find out what is going on in the City. Furthermore, she encourages departments to provide this information to her department for this purpose alone. She feels that this is important because three out of four procurement dollars spent at CCSF are on professional service contracts. The process outlined in the Administrative Code requires department to publish the RFP in the newspaper and send out invitations for bids. She said that there is a \$50,000 threshold, stating that anything above \$50,000 has to go through an RFP process. In addition, if the threshold is over \$10,000 it has to be reviewed by the Human Right Commission. However, she stated that while this is a requirement, there is no mechanism in place to find out if departments did not contact HRC when they did not. Purchasing provides support services such as providing training for departments, and making forms available on the Intranet as well as assisting with the overall process. She said that they have a document titled, "Guide to Ordering Bids and Services" which they make available to the various departments to ensure that they are doing the right things. She mentioned that they partake in a professional service class along with DHR, which is offered twice a year, and these are the major issues with regard to professional service contracts.

- Commissioner Salma, regarding the threshold of \$50,000, asked Ms. Blackwell if exceptions are made in cases of emergencies where the cost would be over \$50,000. He used the example of Hetch Hetchy reservoir.

- Judith Blackwell stated that there are exceptions in some emergency situations. An emergency procurement would be required and one would contact Purchasing to waive some of the requirements, however she stated that the definition of emergency lies in the eye of the beholder, and this is taken into consideration.

- Commissioner Murphy-Reed expressed her confusion regarding the professional service contracts issues. She expressed a discomfort with the notion that the Department head of Purchasing does not oversee the entire procurement process. She questioned if this shortcoming is not part of the reason that many people are denied an opportunity to participate in City contracts. She said that many people complain to her that City contracts are awarded to the same people again and again. She asked what is being done to address this problem, which she views as corruption to a certain

extent. Furthermore, she questioned why Ms. Blackwell does not know what the individual departments are doing, and asked if she was comfortable being at the tail end of the process. Finally she asked what the Commission could do to ensure a better procurement process.

- Judith Blackwell stated that she was not comfortable being at the end of the process and said that Supervisor Sandoval had raised the same types of questions. She stated that she feels that it is important that all RFP's that are going out from the City to come through a central repository, so that an individual wanting to do business with the City could see what the City is shopping for. With regard to what the Commission could do, she suggested that the Commission recommend that Purchasing be at the beginning of the process rather than the end. She stated that other City's require publishing notices of RFP, distributing the RFP, and collecting the RFP, including time stamping them to make sure that they are submitted on time.

- Commissioner Cornell asked how much hard goods are purchased on revolving funds and by pass the Purchasing Department entirely. He asked if Purchasing has any control with regard to where commodities get purchased.

- Judith Blackwell said that if a department has Prop. Q authority, the individual department can purchase any commodity under \$5,000 independently, otherwise the Purchasing Department purchases the items. She said she believed Prop. Q to be something that was put forth by the voters.

- Commissioner Salma asked if the \$5,000 was per incident or per year.

- Judith Blackwell explained that the \$5,000 was per incident.

- Commissioner Cornell asked if there was something that the Commission could do to help small businesses.

- Judith Blackwell stated that one thing would be to raise the 5% discount/credit for locally owned small businesses to 10% or higher. Secondly, to revisit qualifying factors such as the 5 million dollars of revenue over a 3-year period, which is presently required for a business to qualify as a small business.

- Commissioner Kaplan thanked Ms. Blackwell for coming before the Commission. She asked about the central repository that Ms. Blackwell suggested should exist, and asked what a motion would sound like if one were to be made to change this part of the process.

- Judith Blackwell suggested that the motion state that there be a requirement with regard to professional service contracts. All City departments should be required to forward a copy of the RFP and any other pertinent information to the Purchasing Department prior to publicizing the RFP so that Purchasing could publicize it on their web-site. In addition she mentioned raising the 5% credit currently given to local small businesses, and pinning the threshold to revenues only rather than profits. She said that this should definitely be re-examined.

- Commissioner Cornell asked how much time this new requirement would add to the process.

- Judith Blackwell stated that she did not know, because she did not know how many they were missing.

- Commissioner Murphy-Reed asked how many emergency situations come through her department.

- Judith Blackwell stated that she did not have that information and would have to do some research.

Action: No action taken, discussion item only.

#### ITEM 5 - PRESENTATION AND DISCUSSION TO ADDRESS THE NATURE OF THE STREETS OF SAN FRANCISCO

- Greg Suhr, Patrol Commander for the SF Police Department came before the Commission to discuss the issue of the streets of San Francisco. He said that this issue is one of quality of life involving general cleanliness of the streets associated with the

homeless or disenfranchised, including narcotics use, and the use of the public toilets. He stated that the Police Department issues many citations with regard to public urination, public defecation, possession of syringes/paraphernalia, and loitering in or around the toilets. There is no shopping cart law that is enforceable. He also talked about the day laborers on Cesar Chavez in the Mission, and said that with regard to all these things, there is no downside to the behavior, and said that this is a big problem. He stated that his department is not in the business of figuring out how to make people accountable for their actions, other than to cite them for breaking the laws. In addition, he stated that these people, disenfranchised as they are, believe that the process is to take the ticket to the homeless advocate office and the matter is then resolved. He stated that the attorney for the homeless advocate then bundles the citations together, then goes before the Commission to protest them all at once, at which point they get dismissed. He said that their efforts as Police Officers are in essence wasted with this action. He said that there should be someone from the City's side present at such hearings to speak on the City's behalf against such protests.

- Commissioner Cornell asked if he as a citizen could testify at a hearing in cases where the infraction had been committed at or in front of his store?

- Greg Suhr responded saying absolutely, however as civil servants, he and his department should be able to provide that service for him. Furthermore, he said that by coming forward against the person, he may be putting himself and/or his store at risk, and questioned if it was worth it. He said that this situation has been a long running one, adding that such cases are dismissed because the prosecution end of it is seen as a type of intolerance, insensitive way of criminalizing being homeless. He assured that it is not.

- Commissioner Murphy-Reed stated that she believes that the problem of the streets is a health issue and it should be approached as such. She stated that cleanliness is one thing, but health concerns related to a lack of cleanliness is quite another. She asked if anyone is working with the Health Department and said that a declaration from the Health Department should carry a lot of weight. For example, she talked about Boston and the law there prohibiting people from removing items from garbage containers. She said that sooner or later the taxpayers end up paying for this in one way or another. She suggested that this matter be addressed/approached as a health issue instead of just a cleanliness issue.

- Greg Suhr endorsed the proposition, adding that CalTrans recently took this approach by cleaning under the freeway. However, he said that the media portrayed it differently, suggesting that it should have been handled as an eviction because many homeless people live there. He said that there were rampant health issues involved in this case, and said that CalTrans being a State agency, does not fall prey to many of the local problems faced by the Police Department in similar cases. He added that the State does not have jurisdiction over the local quality of life situations.

- Commissioner Murphy-Reed stated that support could be gained for viewing this problem as a health issue if and when the entire citizenry understands the health issues and concerns associated with lack of cleanliness.

- Commissioner Salma asked what happens in cases where it is a private business that does not maintain their space clean. He talked about one such business that carries out recycling on the sidewalk and the street. He said the place and the surrounding area smells badly. He has complained to both the Police Department and the Health Department and nothing happens. The Marina Merchants Association and the Property Owners Association have all complained but the problem continues. He said the sidewalk smells, and asked what more could they do, or what should they do.

- Greg Suhr assured Commissioner Salma that he would send him a list of Police Station Captains, and encouraged the Commissioners to get to know their Captains and call them in these types of situations. He said the problem would be abated the next day, and he would make sure the Captain was aware of the situation.

- Mohammed Nuru, Deputy Director for the Department of Public Works (DPW), started by describing his responsibilities, including the cleanliness of the streets, issues of graffiti, public trees, maintaining all city buildings, and paving the streets.

Since he's been with DPW he has managed to put together and implement 28-Clean. 28-Clean is a phone number that people call whenever they need a clean up. It works like a dispatch center by getting a DPW crew out to the designated area within 1-2 hours. He stated that records show that 28-Clean is a heavily used number with upwards of 6,000 calls per month. He said that 20 to 30 percent of their time in the morning is devoted to cleaning up homeless encampments and steam cleaning the sidewalks, and said that this was not part of their operations in the past. He said the 28-Clean number tracks data, enabling them to use their resources more efficiently. For example, the origin of calls is pin pointed and then recorded. The system calculates the number of incoming calls from a particular area. In December of last year with the support and leadership of Mayor Brown, the number of environmental control officers was increased from 14 to 21. He said that the duty of the environmental control officers includes going out and working with merchants, restaurant owners, and home owners, teaching them how to put their garbage out correctly. He said that they also go out looking for illegal dumping. He stated that in February of this year there was a Clean City Summit, which brought residents, City Government and businesses together. From this ensued a thorough discussion as to what approach should be taken towards cleaning the City. He said that hundreds of ideas were brought to the table and from those ideas it was concluded that there were 3 major areas that needed focus. One he said was the "community clean team", which is a monthly event bringing multiple City agencies together including, DPT, DRP, and DPW. The group meets throughout the month focusing their resources on one particular district a month, going out into the streets doing outreach and getting feedback from the community. He said that the month is then spent trying to improve the quality of life in that district. He reported that the group just completed a full cycle. In the future he hopes to collaborate with additional departments. He stated that "community clean team" is broken into themes. The first week focuses on steam cleaning and sweeping, the second week focuses on graffiti removal, the third week focuses on planting trees and cleaning up medians, and the fourth week typically focuses on schools in the area. Additionally, in April DPW sent out a letter reminding people of their responsibilities as property owners. He said that DPW is responsible for the area from curb to curb, and property owners are responsible for keeping the sidewalks clean. He said the letter campaign was successful in that it allowed DPW to work with property owners. In August "Stomp on Litter", a campaign to reduce the amount of litter in the City, was implemented. It is a campaign that is aired on television with a message from Mayor Brown against litter. He said that in the future it would also be shown in movie theatres prior to movies. Furthermore, he reported on the addition of staff in the field, primarily in what he calls "hot" areas. Recently they have spruced up Fisherman's Wharf area, and with the Mayor's approval for additional staff, plans are in the works for Chinatown, North Beach, and the Mission, placing a crew at designated blocks. He stated that they are still dealing with the shopping cart issue, collecting anywhere from 50 to 300 carts per day. DPW also deals with the issue of homelessness. Referring to the clean up under the freeway of a couple of weeks ago, he stated that DPW took the initiative to find shelter beds for the people who would need to be relocated due to the clean up. He said that they secured 80 beds in two separate shelters, but added that many people don't want treatment. Furthermore he stated that they collaborated and formed partnerships with a lot of other groups such as the Tenderloin Sidewalk Improvement program and Clean City Coalition as well as the Day Labor Program.

- Commissioner Kaplan asked Mr. Nuru about the plan for the Mission.
- Mohammed Nuru said that there would be someone present on every block parallel from Valencia to Potrero to ensure that the blocks are kept clean. He said that this would provide another way to ensure that the issue is being addressed, and also provide a physical presence in the neighborhoods.
- Commissioner Murphy-Reed suggested that there be a public service announcement, and that it be sponsored or supported by the Health Department, DPW, and the Police



Department, and that it continue.

- Commissioner Salma commended Mr. Nuru for the 28-Clean program. He also inquired about the time of garbage pick up, expressing that the current time is not the best time. He also asked who is in charge of private trees, not city trees.
- Mohammed Nuru stated that the times of pick up could be changed, and in some cases the times have changed. He instructed Commissioner Salma or anyone wanting to change the pick up time to contact his department collaboratively, with the request. With regard to trees, he said that he would like to see a one stop shop for trees, a place where you could go find out who a tree belongs to and handle the problem appropriately. He said that currently there are many owners of trees, including the Library, DPW, the Police, the PUC, and property owners. There is no blue print for who owns which tree; hence liability for trees is uncertain. He stated that private trees on private property are the responsibility of the property owner, adding that the property owner would be cited and or a lean on the property imposed if the citation is ignored.

- Commissioner Cornell commented that in the past when he needed assistance with a private tree, DPW was there to help. He also commented on the fact that years ago when DPW did not have the equipment nor the manpower, the streets were clean. Finally he commented on the cleanliness of the streets surrounding City Hall and questioned why the same can't happen throughout the City.

- Mohammed Nuru responding to Commissioner Cornell's second comment stated that people's habits have changed. For example he talked about school-aged children and their lack of respect for their environment. He also said that the operation has expanded from being a Monday through Friday gig, to a 24 hour, seven days a week operation.

- James Brady, owner of Cobra Solutions and Telecon LTD, stated that they recently partnered with the City to keep the City clean. He stated that via their press releases he would like to encourage all new small businesses to participate in keeping the City clean. He stated that he is a Board member of the Tenderloin Sidewalk Improvement Program, and said that this is where they are focusing their efforts in order to make an impact. He stated that there used to be about 960 businesses in the Tenderloin, and said that the number has probably decreased due to the fall out of the dot com industry. With regard to the presentation on professional service contracts he stated that he used to be on a small business advisory board for the Human Rights Commission and suggested that prior to the RFP, there should be an RFQ.

- Richard Allman, Board member of the Tenderloin Sidewalk Improvement Program (TSIP) and currently it's Director, stated that the program was initially conceived in 1995, which is before DPW had a sense of partnerships with community organizations and how community based groups could enhance the overall effort in the City. TSIP is especially pleased with the new leadership at DPW and int's commitment to effective partnerships. TSIP was put together initially with property owner leadership in the neighborhood, following a neighborhood planning process that looked at major issues in the neighborhood. One property owner in particular, Arthur Evans of AF Evans Company decided to take on the responsibility of doing research and strategizing. He said that he worked with him on this effort and they put a Board of Directors together based on property owners, merchants, and community leaders from the neighborhood. He stated that the Program began in 1999. There are two mechanical sweeper/scrubber machines, which are made by the Tennant Company. They are different in size so that they can access different areas. They do what the City's "green machines" do in terms of sweeping; in terms of scrubbing they additionally lay a biodegradable solution and scrub behind that. He stated that the reason for looking at this type of a strategy in the Tenderloin was threefold. First, to provide a service everyday; secondly, to deal with the depth of accumulated everyday grime; and thirdly, the visibility of being out there day after day. He stated that the initial service area was 17 square blocks in the core of the Tenderloin, but has since increased with the help of DPW. He is hopeful that it will continue to increase to

areas. He stated that initially they sought seed funding and were able to tap into one City fund that was focused on Tenderloin projects as well as one foundation as part of a collaborative of community organizations in the Tenderloin. That funding is pretty much used up at this point, and the ongoing funding comes from the property owners, and City support is essential to supplement that as it continues to develop. He stated that they have approached property owners with a formula of \$1 per month, per unit for their properties. They have also been able to bring in institutional property owners such as Hastings School of Law and St. Anthony's. He said that the mix of both private and non-profits in the area is substantial. Additionally, sponsorships have been provided by Walgreens and Ride Aid in the past. He stated that the eight-member Board consists of people from the community, mixed property owners. He informed the Commission that Art Evans is currently the President of the Board, and said that there is one full time operating employee, with a second scheduled to start on January 1st. Finally, he stated that he does not propose that there is only one cleaning strategy, but rather he supports developing partnerships and looking at the existing assets in the community, as well as working together with City programs/efforts. In closing he offered the suggestion that the Commission look at how it can support and/or facilitate merchant organizations. He stated that it is a much stronger voice when merchants are invested, when merchants lead community programs. He said that there could be a number of ways that the Commission could help to facilitate such efforts.

- Commissioner Cornell stated that the \$1 per month per unit is very cheap.

Action: No action taken.

#### **ITEM 6 - PRESENTATION AND DISCUSSION ON THE PROPOSED COFFEE "CAFÉ" TO BE ADDED AT THE REMODELED BART STATION AT THE CORNER OF 16TH STREET AND MISSION STREET.**

- The Commission decided not to discuss the issue with out a presentation from Mr. Heydarian, and opted to continue the item for the next meeting.

#### **ITEM 7 - PRESIDENT'S REPORT**

- Commissioner Cornell stated that the Commission had set up sub-committees at a previous meeting, and he requested that each Commissioner sign up for a sub-committee. The sign up sheet was passed around.

#### **ITEM 8 - DIRECTOR'S REPORT**

- Director Hwang informed the Commission of the upcoming issue of the OSBA/SBC quarterly newsletter, which is scheduled to come out in January 2002. He requested to have items for the newsletter into the OSBA office by the end of December, preferably by the 25th. He also commented on Ms. Blackwell's presentation, and specifically on the suggestion she made concerning raising the 5% credit for locally owned small businesses. He said that currently the State credit for this is 25% and said that he would fully support the pursuit of making the recommendation in a future meeting. Finally, he reported that he had met with Ms. Rosalie Bullach and three representatives from the Department of Telecommunications and Information Systems (DTIS). He said they discussed a plan for the market research study, including technical needs etc. He stated that the Mayor is behind it and aware of the efforts. He acknowledged Ms. Ruth Anderson from DTIS for being persistent. He thanked Ms. Rosalie Bullach for her time and effort, and her continuous help. He said that he would be reporting back to the Commission as the project moves along.

- Commissioner Murphy-Reed asked Director Daniel Hwang to prepare a progress report for the next meeting.

- Daniel Hwang agreed to prepare a progress report for the Commission.

**ITEM 9 - NEW BUSINESS**

- Pat Christiansen a member of the public and member of the Inner Sunset Merchants Association, invited the Commission to attend the Inner Sunset Merchants Association holiday social on Wednesday, December 12th at Jefferson School Auditorium (19th & Irving) from 6-9PM.

- Commissioner Salma requested that the Commission write a resolution congratulating Supervisor Gavin Newsom on his recent marriage, whereas he has been a longtime supporter of the Small Business Commission and the small business community, and whereas he is a successful small business owner himself.

- Commissioner Murphy-Reed stated that the Commission has made commitments in the past to work with and/or support various groups/efforts etc., and then they don't hear about it again. She suggested getting a progress report at each meeting of the status of the actions that the Commission has supported and/or endorsed.

- Daniel Hwang stated that he would be bringing a pre-budget proposal before the Commission at the next meeting.

Action: No action taken. Discussion item only.

**ITEM 10 - GENERAL PUBLIC COMMENT**

- No public comment taken.

**ITEM 11 - ADJOURNMENT**

Action: Commissioner Salma moved to adjourn the meeting. Commissioner Aiello seconded. Meeting was adjourned at 7:46 PM.

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